

# Law Enforcement News

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## Drug corruption — the lure of BIG bucks

### Police officials seek answers to the scourge of the 1980's

As cycles of police corruption wax and wane, the sources and manifestations of corruption change but the underlying motivation for good cops going bad — basic human greed — remains a constant.

From bootlegging to gambling and other vice corruption — all moneymakers in their day — the chance to make an easy, dishonest buck has always been a significant factor. But with the latest manifestation of police graft — narcotics corruption — the money to be made illegally skyrockets hundreds if not thousands of times, and with it increases the temptation to susceptible officers.

Stories are told of police officers walking into tenement buildings and finding \$80,000 or \$100,000 in cash lying on a table. Nobody claims it, they say, and nobody cares if it goes into a cop's pocket. As important, the victimized drug dealer is unlikely to report the ripoff.

Miami, New York not alone  
Over the past several years, any number of cities across the country have reported outbreaks of police corruption. Although by no means exclusive cases, such jurisdictions as New York, Boston, Philadelphia and Miami have endured some of the more widely publicized episodes of ongoing police corruption.

And, while no department has yet uncovered a systemic pattern of corruption to rival the "pads" and "sergeants' clubs" found in New York in the early 1970's by the Knapp Commission, a sampling of recent incidents speaks to the continuing plague that corruption in general — and narcotics corruption in particular — poses for U.S. police agencies and police administrators.

¶ November 1986 — A quarter-ton of confiscated marijuana disappears from a supposedly secure storage area in Miami police headquarters. The theft, believed to be an inside job, is the

fourth drug theft from police custody in 12 months.

¶ September 1986 — Twelve police officers and one sergeant from New York City's 77th Precinct are suspended and subsequently indicted after an 18-month probe reveals an ongoing extortion scheme in which officers are shaking down narcotics dealers. Twelve of the cops are arraigned — the other commits suicide.

¶ September 1986 — Former Boston Metropolitan Police Captain Gerald Clemente is sentenced to 30 to 40 years for planning and directing a \$1.5-million burglary of the Depositor's Trust Co. in Medford, Mass., in 1980. Clemente later pleads guilty to Federal racketeering charges after admitting to stealing and selling state Civil Service examinations and altering some test results.

¶ December 1985 — Newport News Police Sgt. Carl Burt, a former supervisor of the vice

squad, becomes the fifth police officer in the department to be fired after an investigation into mishandling of drugs in the evidence room.

¶ October 1985 — The Miami Herald reports that \$150,000 is missing from the Miami Police vice squad's safe. At least 10 officers are under investigation for armed invasions of private homes, drug deals and a triple murder during a cocaine rip-off. Officers Armando Estrada, Armando Garcia and Roman Rodriguez are charged in December with three counts of first-degree murder, racketeering and cocaine trafficking.

¶ July 1985 — Hawthorne, Calif., Police Officer Lee Schramling is convicted of grand theft and possession of marijuana and cocaine after not turning in a purse he found while on duty. The purse, which contained 22 grams of cocaine, was planted by Los Angeles County detectives.

¶ June 1985 — A 24-year veteran of the Denver Police Department, Sgt. Raphael Benfante, becomes the third Denver officer in three months to be fired for drug offenses. Benfante is charged with selling cocaine while on duty.

¶ April 1984 — Philadelphia Deputy Police Commissioner James J. Martin resigns after FBI agents search his office and car seeking evidence of extortion. Martin is convicted of racketeering, extortion and conspiracy in August and is sentenced to an 18-month prison term. Martin becomes the highest-ranking of-

ficer to be convicted in an FBI corruption probe of the department that leads to 26 convictions of police personnel on extortion and other corruption-related charges.

The list is representative but hardly comprehensive. Throughout the country, police officers and supervisors, sheriffs and sheriff's deputies have been succumbing to the growing lure of narcotics corruption.

The wave of the 80's

Police leaders point to several reasons for narcotics corruption becoming in the 1980's what gambling and vice were in the 70's — the primary source of police wrongdoing, the best way to make a quick and easy buck. In fact, some suggest, corrupt activities involving narcotics are even easier to pursue than those involving vice were.

"Gambling used to be our biggest problem. Now I see narcotics as our biggest problem," said Insp. Jerry Kane of the Philadelphia Police Department's Ethics Accountability Unit. "The temptation is greater. With poker machines and other things, the money that's generated is very small in comparison to the amount of money if you became involved in narcotics."

Police are routinely making arrests involving hundreds of thousands, even millions of dollars, echoed Richard Condon, First Deputy Commissioner of the New York City Police Department and a former director of investigations for the city's special

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### Slipping through the net:

## Police missing out on DWI cases

Drinking drivers involved in fatal automobile accidents are escaping prosecution on DWI charges because police let most drivers leave the scene without being tested for alcohol abuse, according to a study by the Crime Control Institute.

The study found that in 1984, 44,241 people were killed in 39,622 U.S. traffic accidents involving 57,568 drivers. Of those who survived the accidents — nearly 32,000 — 77 percent left the scene of the accident without being tested for sobriety. While the percentage of 25,582 deceased drivers tested was much higher, 28 percent were never tested for blood-alcohol concentration. In effect, the study said, only 45 percent of all drivers in fatal car crashes were tested for alcohol levels.

The U.S. Department of Transportation, however, estimates that the proportion of traffic fatalities due to drunken driving has been declining from 46 percent in 1982 to 41 percent in 1985.

"The national statistics on the number of traffic deaths due to drunk driving are unreliable and misleading," contended Dr. Lawrence W. Sherman, president of the Crime Control Institute. "They have lulled us into a false belief that we always detect drunk driving as a cause of fatal accidents. The truth is that we are hardly even trying."

The report sharply criticized

the Department of Transportation's method of estimating drunken-driving fatalities.

Until 1985, estimates were extrapolated from tests of only deceased drivers in only those 15 states that consistently tested at least 80 percent of the deceased motorists.

Currently, the Department of Transportation estimates the share of traffic fatalities due to intoxication on the basis of such factors as accident type, day and time, and the driver's sex and age.

"I don't think DOT is really covering it up," said Sherman, "but glossing over it in the sense of issuing these figures on the number of people killed by drunken driving when actually we have no idea how many people are killed by drunken driving."

Both methods of estimating used by the Transportation Department are highly suspect, Sherman charged. "Instead of reporting questionable estimates, we should be emphasizing the hard numbers of tested and untested drivers in fatal accidents in each state," he said.

The Crime Control Institute recommended that all state legislatures enact laws requiring police to administer blood-alcohol tests to all drivers involved in fatal car accidents or accidents causing serious injury.

"Police chiefs all over the nation should ask their officers to

test drivers in these accidents as standard procedure," said Minneapolis Police Chief Anthony Bouza, chairman of the institute.

The institute's research actually embodies two studies in one report. The second half of the report, which focused on recidivism in drunken driving, was prepared by Ray R. Lewis for the Minnesota Criminal Justice System DWI Task Force.

Lewis's research found that national statistics greatly underestimate the involvement of repeat offenders in drunken-driving deaths.

Moreover, Lewis contends that Sherman's statistics may in fact underestimate the role of alcohol in fatal crashes.

"I don't think he made a clear distinction between those drivers who were not tested at the scene of the accident versus drivers who were tested at the scene of the accident but no alcohol level was reported on the final accident report system," Lewis observed.

The police officer at the scene of an accident usually does not know the driver's blood-alcohol level at the time he fills out the report, said Lewis.

The officer will check a box on the report that indicates "driver has been drinking," but the actual percentage of alcohol in the

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## 'Big-six' police agencies form problem-solving net

The six U.S. police departments in cities of over one million population have banded together as a kind of "millionaire's club" to identify and solve problems they hold in common.

The Police Foundation, which is supporting the project, will rely on information gathering and analysis under the direction of the six police executives: Chief Daryl Gates of Los Angeles, Chief Lee Brown of Houston, Chief William Hart of Detroit, Superintendent Fred Rice of Chicago, Commissioner Kevin Tucker of Philadelphia and Commissioner Benjamin Ward of New York.

The foundation and the six departments hope to create an interagency information-sharing network, in addition to developing programs that address difficult law-enforcement issues and

improve effectiveness in large departments.

"There are certain commonalities which exist among the larger departments," said Police Foundation president, Hubert Williams. "One-third of the robberies occur in these cities. They experience a significant amount of the crime that occurs around the nation. The great diversity in the problems of policing exist in these cities, so they constitute a major source of the kind of things we need to look at in order to improve policing."

One high-priority issue will be the effective utilization of resources, which Williams said has been affected by the "decline of the revenue base on the Federal, state and local level."

Police chiefs, he said, have been

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# Around the Nation

## Northeast

**DELAWARE** — Wilmington Police Chief Joseph Pennell has moved back into the city from his suburban home, thus averting a showdown with Mayor Daniel Frawley, who requires his top officials to live in the city.

**MAINE** — State Police Chief Allen Weeks, 64, will retire next month after 37 years with the force. He has been chief since 1976.

**MARYLAND** — The city of Baltimore, which faces a \$600,000 budget deficit, will leave 176 police officer jobs unfilled over the next eight months to help close the gap.

Baltimore Police Commissioner Bishop Robinson said recently that 60 percent of the city's 230 homicides in 1985 were drug related.

**MASSACHUSETTS** — Lucky, the resident police dog in Methuen, retired last month because the only man he obeys, officer Larry Giordano, left the police force to become a state legislator. Lucky was given a pension of \$1.50 a day for dog food.

**NEW HAMPSHIRE** — The state has obtained an \$87,000 Federal grant that will be used to crack down on drunken drivers and speeders.

**NEW YORK** — The state Court of Appeals ruled unanimously last month that a woman who accidentally shot and killed her husband, an off-duty police officer, is not entitled to collect workers' compensation benefits for his death.

Donald Chesworth, Superintendent of the State Police since 1983, will step down Dec. 31. He will be succeeded by his deputy, Col. Thomas Considine.

New York Mayor Edward I. Koch has signed a bill establishing a 12-member Civilian Complaint Review Board.

The New York City Police Department is considering selling its six-story Police Academy building in Manhattan and moving the training facility to an economically depressed area in another borough, according to city officials.

A state Supreme Court judge has resolved the last challenged questions on the New York City Police Department's 1984 sergeant's test, clearing the way for the imminent promotion of as many as 640 officers to fill supervisory vacancies.

## Southeast

**ALABAMA** — A doctor who set booby traps after several burglaries at his home was hospitalized in critical condition last month after being shot in the chest by one of the homemade devices. Dr. Joseph H. Sox of Andalusia had set up 15 booby traps made from lengths of pipe with a load of buckshot and black powder in the back. The traps were disarmed by Army explosives experts.

**FLORIDA** — The Fort Myers Police Department has made its bid for the most-creative-and-contrived-acronym-of-the-year award, with its program to combat holiday crime at shopping malls. The program, which involves police officers dressed as Santas, is called Operation ST. NICHOLAS — for "Special Theft-Negation Initiative Combating Holiday Offenses, Larcenies and Shoplifting." Capt. Steve. Schwein, who created the acronym, said the undercover

Santas will try to alert uniformed officers or mall security personnel rather than confronting suspects in front of children.

**MISSISSIPPI** — State troopers John Myers and Frank Myers and former state Bureau of Narcotics employee Rolin Mitchell were arraigned Nov. 20 on charges that they obstructed an investigation of a methamphetamine ring.

Deputy Jesse Hopkins will serve as interim sheriff of Madison County until someone is elected to succeed Billy Noble, who died of a heart attack on Nov. 29.

Marvin Hoover was convicted Dec. 4 of capital murder in the February death of Rankin County Deputy Sheriff Travis O. Biddle.

**NORTH CAROLINA** — The Department of Administration of Justice at Guilford College in Greensboro has been renamed as the Department of Justice and Policy Studies. A college spokesman said the change was made to reflect recent shifts in the curriculum to "encompass the wider scholarly concerns of faculty, such as terrorism, negotiations and conflict resolution."

**TENNESSEE** — State wildlife officers have nabbed dozens of illegal roadside hunters in the past several weeks by placing a stuffed deer decoy in the woods just off a road in Macon County. The illegal hunters reportedly spot the deer and begin firing entire clips of ammunition at the decoy before wildlife agents interrupt them.

## Midwest

**ILLINOIS** — The new state troopers' training facility due to be built downstate will be dedicated to the memory of John Kugelman, a trooper who was killed in mid-November.

**INDIANA** — With the help of a \$7,000 Federal grant, the first center for victims of sexual assaults was opened in Connersville last month. Sexual Assault Services, which serves Franklin, Union, Rush, Wayne and Fayette Counties, will provide a 24-hour hot line, 24-hour police station and hospital visits to counsel assault victims, support groups and community education.

The National Victim-Offender Reconciliation Resource Center has published its second annual directory of victim-offender reconciliation and mediation programs in the United States, Canada and England. The directory is available from the center at PACT Institute of Justice, 901 Washington Street, P.O. Box 177, Michigan City, IN 46360.

**MICHIGAN** — The \$35-million Scott Regional Prison in Northville opened Dec. 1 with its first 35 inmates. Officials said the facility could reach its 528-prisoner capacity in the coming months.

## Plains States

**IOWA** — Sheriff Steve Madson of Cerro Gordo County says he will resign before his term ends in two years. Madson cited a one-percent pay raise and recent criticism over the death of a jail inmate as his reasons for stepping down.

**NEBRASKA** — Omaha police officer Nancy Bradshaw has turned down a promotion to sergeant, saying she felt that the move was based on affirmative action, not test scores. Bradshaw is one of 36 women on the 570-member force.

Steven Lamken, 37, will take command as police chief of Kearney on Jan. 5. Lamken, now police chief of Ogallala, replaces Robert Jatzak, who resigned in October.

dismissal of Sheriff Robert Johnson, who took office in 1984. The board cited Johnson for alleged neglect of duty and failure to account for public funds and property.

The state crime bureau has launched a probe of the Altus Police Department over possible tampering with breath-testing records in drunken driving cases.

**TEXAS** — A 1986 Texas Crime Poll of 1,242 residents shows that citizens worry most about crime (54 percent) and drug abuse (51 percent). Economic worries among Texans — whose state has been hard hit by an oil-industry slump — trailed concerns about crime, with 34 percent of residents citing this worry.

A citizens watchdog panel in Houston overturned nearly 25 percent of disciplinary actions against police officers from 1977 to 1984, according to The Houston Post. The newspaper reviewed 1,818 cases of alleged police misconduct.

## Far West

**CALIFORNIA** — About 60 percent of Southern California teenagers said they would consider telling the police if they discovered their parents were using illegal drugs, according to a survey by Contemporary Psychology Associates. The firm sampled 232 youths from 12 to 13 years old and found that 67.9 percent of the girls and 56.4 percent of the boys said they might turn their parents in.

Striking Madera County sheriff's deputies, who were fired after walking off the job in early November, returned to work Dec. 3 with an agreement to resume bargaining over pay and benefits. A decision on the permanent job status of the 39 deputies is due on Feb. 15.

The trial of alleged serial killer Richard Ramirez, known as the "Night Stalker," has been postponed until at least early February to allow the defense more time to prepare its case. Ramirez, 26, is accused of 14 murders and 31 other felonies in a series of nighttime attacks that terrorized the Los Angeles area during the summer of 1985.

**NEVADA** — Kenneth Barrett, whose arrest in Phoenix in October 1985 led to the first death of a female FBI agent, was sentenced to 150 years in prison early this month by a Las Vegas judge for a crime spree. Agent Robin Ahrens was killed by gunfire from fellow agents during the attempt to capture Barrett.

## Southwest

**COLORADO** — A Denver judge ruled last month that the state's so-called "Make My Day" law does not protect homeowners from being charged with a crime when they shoot an intruder. It was the first such ruling since the law was enacted in July 1985. The law says that a homeowner can kill someone who enters the home unlawfully if the resident believes the intruder intends to commit a crime and might use physical force.

**OKLAHOMA** — The Kay County Board has voted to seek the

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# Mass. 'pike radios leave troopers stranded

The president of the State Police Association of Massachusetts has accused Massachusetts Turnpike Authority officials of foot-dragging on the replacement of an antiquated highway radio system, which troopers say breaks down practically every day, endangering both motorists and police.

According to troopers, the radio system has sometimes gone on the blink for an entire eight-hour shift, leaving them unable to call for help or to check license plate numbers or the identities of motorists they have stopped. The system is especially bad when it rains, troopers said.

No deaths, just close calls

Although no deaths or serious injuries to troopers or motorists have been directly attributed to the unreliable system, in several instances the communications problems have led to delays in getting assistance to accident victims and information to troopers.

In one case, a trooper radioed in that he had stopped a car, but before his barracks could let him know that the car was stolen and the driver was wanted for assaulting a police officer with a dangerous weapon, the radio failed. Two cruisers were dispatched to locate the lone trooper and help with the arrest.

Last June 27, the system went down for the entire 3 to 11 P.M. shift. A firefighter overcome by smoke from a car fire had to be transported to the hospital by state police cruiser because an ambulance could not be reached.

According to Francis D. Riley, president of the state police association, the radio system is just as bad now as it was in 1983, when an independent study recommended the 15-year-old system be replaced. "The safety of our troopers and the general public is seriously endangered because of a situation that has been allowed to drag on for more than three years," he said.

While troopers have complained about the system among themselves for years, Riley said the association decided to air its views publicly "because we feel nothing is being done to seriously address this."

Turnpike Authority chairman John T. Driscoll denied that there had been any unreasonable delays in implementing changes. The authority, he said, has taken every step toward a long- and short-term solution over the past two years.

"We're doing everything we can conceivably do," said Driscoll. "Public safety is our first priority."

The authority pays the State

Police to patrol the 134-mile Massachusetts Turnpike, which is the easternmost stretch of Interstate 90. The authority owns and is responsible for the maintenance of the radio system used by police and turnpike employees.

Public Safety Commissioner Frank A. Trabucco, commander of the State Police, echoed his troopers' views, saying the radio system poses "a very serious public safety problem out there, and it has to be addressed."

Stopgap solution

In the meantime, the authority's interim solution, a 460-megahertz "radio link" system which went on line in November, has reportedly not been working. While Driscoll said he did not know when the system would be operational, he added, "I believe it will be soon."

While complaints about the old "telephone line" system can be documented as far back as 1979, Driscoll said the problem began after the court-ordered divestiture of the American Telephone & Telegraph Company (AT&T) in 1984. The system became unreliable, he said, because the leased telephone lines over which radio transmissions traveled repeatedly failed in poor weather.

The system has improved

dramatically, he said, since the authority changed telephone companies last July.

Riley radically disputes Driscoll's claim, however, saying that the system has not improved and that police "can document problems every day."

For a long-term solution, Driscoll said a private consultant is designing a \$10 million state-of-the-art radio system to replace the current one. While Driscoll did not know when the system would go on line, State Police have predicted it would take at least three years.

## Buffalo PD reorganization gets wait & see reaction from police union

The Buffalo, N.Y., Police Benevolent Association is remaining mum on its view of the police department's proposed reorganization plan until it has the chance to meet with the city's Common Council.

But Police Commissioner Ralph Degenhart and Inspector William J. Frawley maintain that police officers affected by the plan will more than likely be pleased by the changes, which include consolidating the city's 14 police precincts into 5 districts, each with its own headquarters.

According to Degenhart, most of the department's 1,000 officers would not be affected since patrol officers would probably continue to work the same beats after the plan went into effect.

"I don't see where patrol officers would object," said Degenhart.

Forty-six other officers who are now assigned to a desk job or some other precinct-related duties would probably find themselves working the streets again, but department officials see no seriously ruffled feathers in this move either.

"Most officers on desk duty do not prefer it," said Frawley, the chief architect of the plan. "When they got into the department to become policemen, they didn't think they would be relegated to desk and clerical duties."

The plan will also affect 100 higher-ranking officers. Currently there are 16 precinct captains, one assigned to each precinct with the rest held in reserve for relief duty. All captains work the day shift.

Under the reorganization plan, however, four captains would be assigned to each district so that captains would be available for all three shifts. With no precinct to

head, they would, in effect, become shift commanders responsible to the district inspector. The four additional captains needed would probably be transferred from other divisions.

Two inspector positions would have to be filled in order for the department to appoint one to each of the five districts. Inspectors currently work out of police headquarters, but if the plan goes through, the five inspectors would switch to the district headquarters.

The job of lieutenants would become almost entirely supervisory under the plan. At present, the department's 70 lieutenants serve a dual purpose: They go on patrol with the other officers and are supposed to supervise those officers. Police officials say, however, that the lieutenants are often too busy answering patrol calls to do much supervising.

Under the reorganization, two lieutenants would be assigned to each shift to supervise the patrol officers; one would be in charge of the district detectives and another would serve as assistant to the precinct inspector. The four detective sergeants now working in the precincts would be reassigned to squad duties since their jobs would be taken over by the district lieutenants.

The plan would also eliminate the need for two of the existing seven officers who act as liaisons between the precincts and community organizations.

Department officials say they plan to meet with police labor leaders, community organizations and the Common Council before the reorganization plan goes into effect.

The plan requires the approval of the Common Council.

## Feeling the heat:

# Baltimore targets illegal guns

Handgun-wielding repeat offenders in Baltimore have been feeling the heat for the past several months as the targets of a crack team of city police officers and Federal investigators.

The Handgun Enforcement Arrest Team (Network) brings together police officers and special agents from the U.S. Bureau of Alcohol, Tobacco and Firearms to form a core group who then work in conjunction with 2,200 police officers from virtually every unit in the department in an effort to curb the use of illegal handguns.

The special unit takes aim at three particular groups: warrant targets, those individuals who fit the criteria of repeat offenders and are wanted on one or more warrants; arrest targets, those individuals who are already arrested and may or may not be in custody, and investigative targets, those individuals who may be repeat offenders but who at the time of identification are not wanted on an arrest warrant.

HEAT relies heavily on public awareness and cooperation in reporting persons suspected of carrying handguns illegally. A telephone hot line for tips is answered 24 hours a day, 7 days a week and callers may remain anonymous.

The multimedia publicity campaign, designed by a leading Baltimore advertising agency, revolves around the message:

"Spot A Gun? Tell Someone. Call 685-GUNS. It's self-defense."

According to police spokesman Dennis Hill, police have received 58 calls to the special number since the end of October and have arrested 47 people. In addition, 18 search warrants have been executed, and five illegal handguns have been recovered along with a large amount of narcotics.

HEAT's core group of officers and agents acts mainly as an investigative unit and as a coordinator for the program. The coordinating group collects, updates and evaluates information on targeted individuals and distributes this information and suspect photographs to the network.

The larger network comprises members of the police department's homicide unit, robbery unit, drug enforcement section, fugitive/career criminal unit, STOP squad, district drug enforcement units and the neighborhood foot and motorized patrol officers. Officers from these units make individual arrests based on the calls, said Hill.

The anti-gun drive also includes a working arrangement with the local United States Attorney's office and the state's attorney for Baltimore. The prosecutors have agreed to initiate proceedings against arrested targets in either state or Federal courts, with an eye on courts where mandatory

sentencing provisions can be brought to bear.

Recently-enacted amendments to the Federal Gun Control Act call for a mandatory sentence of 15 years for possession of a firearm by a convicted felon with three prior convictions for robbery or burglary. State law mandates a five-year sentence for the use of a handgun in the commission of a felony or crime of violence, or for possession with intent to injure or kill.

The police department's Firearms Identification Section supports the program with its computerized "Gun File," which provides HEAT investigators with rapid access to information regarding particular handguns recovered or sought by investigators.

Those who have more to protect are more likely to own a handgun, according to a study published by Texas A&M University's College of Business Administration.

The survey of 2,000 households nationwide, conducted by Drs. William Pride and O.C. Ferrell, showed that 13 percent of those earning less than \$15,000 per year owned handguns, compared with 22 percent of those earning over \$45,000.

The study also found that 19 percent of the white households owned handguns, compared to 13 percent of the minority households.

The study, conducted last September, began as part of the research for a marketing textbook the professors were preparing. Professor Pride said that in preparing textbooks, he and Ferrell often do surveys on the type of people who buy certain pro-

ducts, such as video equipment, bicycles and, in this case, handguns.

The sort of people who buy handguns, they discovered, are primarily white Southerners. The largest handgun-owning age group was the 35- to 49-year-old bracket.

The study did not break down age groups according to race.

Pride said he was surprised by  
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# People and Places

## Young and eager to go

What kind of law enforcement experience could a farm boy have? None, more than likely. Did that stop 24-year-old Stacey Fergusson from becoming sheriff of Calhoun County, Ill.? Not a chance.

Fergusson beat retired State Trooper Elmer Lehr by 32 votes this past Election Day to become the state's youngest sheriff.

A student of law enforcement at Lewis & Clark Community College, Fergusson has no police experience. But he said his studies have provided him with training in police organization, search and seizure practices, court procedures and constitutional law.

Fergusson will need all the training he can apply in order to restaff a department that recently lost all of its full-time members to resignations and firings. He said, however, that the department would be ready to hit the streets by the time he is sworn in on Dec. 1. The staff will include two full-time deputies and four or five radio operators.

Before taking office, Fergusson had to take the mandatory 40-hour firearms training course so that he could carry a weapon. He will also be getting some training as a coroner, which is one of the sheriff's duties in Calhoun County.

Although Fergusson has always been interested in a career in police work, his decision to run for office came sooner than he might have planned. His father, Don, is chairman of the county's Republican Party Central Committee and Stacey has worked in a number of elections.

"I've always been interested in politics," he said. "I enjoy politics, as long as it stays clean. But we don't have much problem with that in this county anymore," he said.

It was Fergusson's father who suggested he run because of dissatisfaction with the two men who had announced their intentions of seeking the Republican nomination. Neither of them had ever voted Republican and one of them had run for sheriff previously as a Democrat.

The younger Fergusson knew he had to work long and hard to overcome his opponent's reputation and years of experience. "I didn't have that," he said. "So I went to every function I could and just sat and visited with the peo-

ple. I just wanted them to get to know me."

The Illinois State Police and the Division of Criminal Investigation have offered Fergusson assistance, which he said he would draw on as needed, especially while he is trying to get his department established.

In addition, Fergusson said, former Sheriff Richard Meyer has been helping with the transition.

"This is a good county and I'm looking forward to being its sheriff," he said. "Four years from now, I want to have earned the respect of the people."

## More than skin deep

More than a few police headquarters buildings stand as striking examples of function at the expense of form: stark, no-frills, look-alike buildings that are geared to the needs of a police department, with little or no concern for architectural esthetics.

For police in Bowling Green, Ohio, however, "home" is a 96-year-old Victorian structure that is as conscious of 20th-century law-enforcement needs as it is respectful of the building's distinctive styling and history.

In fact, the unique architectural attributes of Bowling Green's police headquarters so impressed the Masonry Institute of Northwestern Ohio recently that the institute cited the facility as one of the three top architectural buildings in Ohio and Michigan.

The headquarters building, designed by the architect David Stein, who also designed the Wyoming state capitol, was erected in 1890 to serve as the town's City Hall. In recent years, however, it had housed only the police and fire divisions, and in cramped, unsafe quarters to boot. Before renovation began, the roof, walls and windows were badly deteriorated — allowing rain to fill the Fire Chief's office during storms — lightning struck the radio tower more than once, and the entire third floor had been condemned.

A number of architects and engineers urged the demolition of the building, but a groundswell of restoration-minded public opinion led to a \$2-million campaign to save and overhaul the structure.



After a \$2-million facelift at the age of 96, the headquarters of the Bowling Green Police Department shows its award-winning form.

Munger Munger & Associates Architects Inc.

The city decided to go with remodeling the building from its original masonry shell rather than tearing it down and starting from scratch. The prize, said Mayor Bruce Bellard, proves the right decision was made.

"In the long run, the cost is comparable — nothing would have been saved, and it wouldn't have been cheaper," said Bellard.

The firm of Munger Munger & Associates Architects Inc. saved the historically significant exterior shell and towers while opening the interior to serve the needs of the city's 41-member police force. In the process, the building was made accessible to handicapped persons for the first time and the three existing floors were reworked into four.

The renovation, which was brought in on time and under budget, has paid off in other ways as well. The building, slightly larger than the city needed, now provides room for a pistol range on the top level, a weight-training room for use by the officers, an office for the animal warden and three jail cells.

According to the Masonry Institute, the overall result is a building that "functions as a well-run police machine," and one that has been favorably received by the citizens, police, elected officials and the historical preservation community.

## Cooper snooper

Fifteen years ago, a man known only as D. B. Cooper commandeered a Northwest Orient jetliner and, after being given \$200,000 and a parachute, he bailed out over the Pacific Northwest and was never seen again.

The mystery — some say legend — of Cooper's disappearance became a challenge to former FBI agent Richard Tosaw, who last month led a team of divers in a search for Cooper and the booty.

"I couldn't believe that in 20th century America a man could jump out of a plane and disappear," Tosaw told The Minneapolis Star and Tribune before launching his expedition. Tosaw, 61, began his investigation five years ago after retiring from his law practice. "I had the time and the money, so I decided to investigate."

Tosaw, who has written a book on the case, believes that Cooper landed in the Columbia River alive but between the weight of the money strapped to his body and a 28-foot parachute, he was pulled under by the current and is still snagged on the river bottom.

## What They Are Saying

"Whatever influence the Knapp Commission had in terms of a moral imperative no longer exists."

First Deputy Commissioner Richard J. Condon of the New York City Police Department, on the impact of narcotics-related police corruption. (7:1)

## Law Enforcement News

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# Supreme Court looks at trials, fair and foul

The newly constituted Rehnquist Court is continuing the process of hearing oral arguments



## Supreme Court Briefs

Jonah Triebwasser

and accepting or rejecting cases for appeal during the coming year. While we await the first decisions based on these preliminary rounds, we'll continue our review of the major criminal justice decisions handed down during the final year of the Burger Court.

In this issue, we conclude this review with a look at the cases involving fair trial issues and the continuing controversy over jury selection.

### Uniformed presence

*Holbrook v. Charles Flynn*, 54 L.W. 4325 (March 26, 1986).

Flynn and five accomplices were charged with the armed robbery

of several employees of the Bonded Vault Company, from which they escaped with approximately \$4 million in cash and valuables. At the trial in Superior Court, a shortage of state marshals (who are usually in uniform, but unarmed) resulted in arrangements being made for the presence of four armed, uniformed state troopers to supplement the marshals. After a two-month trial, the jury acquitted Flynn and two others. The convictions were affirmed by the Rhode Island Supreme Court, which held that the presence of the troopers did not prejudice the jury against the defendants.

On a petition for habeas corpus, the Federal district court rejected all claims. The Court of Appeals for the First Circuit reversed, holding that the presence of the state troopers was prejudicial and was an extraordinary measure for which no adequate reasons had been established.

A unanimous U.S. Supreme Court reversed the appellate ruling,

stating in an opinion by Justice Marshall that there could be found no unacceptable risk of prejudice in the spectacle of four state troopers sitting quietly in the first row of a courtroom's spectator section.

"Even had the jurors been aware that the deployment of troopers was not common practice in Rhode Island, we cannot believe that the use of the four troopers tended to brand respondent in their eyes 'with an unmistakable mark of guilt,'" the Court ruled. "Four troopers are unlikely to have been taken as a sign of anything other than a normal official concern for the safety and order of the proceedings. Indeed, any juror who for some other reason believed defendants particularly dangerous might well have wondered why there were only four armed troopers for the six defendants."

The Court found no indication that this security arrangement was so inherently prejudicial as to pose an unacceptable threat to

the defendants' right to a fair trial.

### Four strikes, you're out

*Batson v. Kentucky*, 54 L.W. 4425 (April 30, 1986).

The defendant, a black man, was charged with second-degree burglary and receipt of stolen goods. After the *voir dire* examination had been concluded, the prosecutor used his peremptory challenges to strike all four black persons who were in the jury array. Consequently, a jury composed solely of white persons was selected. Defense counsel moved to discharge the jury on the ground that the prosecutor's removal of the black jurors violated the defendant's Sixth Amendment rights to a jury drawn from a cross-section of the community. The trial judge ruled that the parties were entitled to use their peremptory challenges to "strike anybody they wanted." After conviction by the jury, the Supreme Court of Kentucky rejected the defense's argument, citing *Swain v. Alabama*, 380 U.S. 202 (1965), which held that it was necessary to show a pattern of discrimination beyond that shown in a particular case.

On certiorari to the U.S. Supreme Court, the Kentucky court's decision was reversed and the case remanded.

In an opinion by Justice Powell, the Court first went into a lengthy historical exposition of the requirement that persons not be excluded from jury service on racial grounds. The Court conceded that *Swain* dealt with a case in which the prosecutor used peremptory challenges to strike six black persons from the petit jury array. At that time the Court

had held that purposeful discrimination would be resisted by the Court if it could be shown that a prosecutor "in case after case, whatever the circumstances, whatever the crime and whoever the defendant or the victim may be, is responsible for the removal of Negroes who have been selected as qualified jurors...with the result that no Negroes ever serve on petit juries."

In reconsidering the doctrine of *Swain*, the Court determined that a defendant may establish a *prima facie* case of purposeful discrimination in the selection of the petit jury solely on evidence concerning the prosecutor's exercise of peremptory challenges at the defendant's own trial. To establish such a case, the defendant must show that he is a member of a cognizable racial group, and that the prosecutor has exercised peremptory challenges to remove members of the defendant's race.

This combination of factors in impaneling a petit jury raises the necessary inference of purposeful discrimination. Moreover, the prosecutor's questions and statements during the *voir dire* examination and in exercising his challenges may support or refute an inference of discriminatory purpose.

Once the defendant makes a *prima facie* showing, the Court held, the burden shifts to the state to come forward with a neutral explanation for challenging all black jurors. However, the prosecutor's explanation need not rise to the level of justifying a challenge for cause. Nevertheless, the prosecutor may not rebut a

Continued on Page 13

## America starts to chafe at seat-belt laws and 55-mph speed limit on Interstates

There is persuasive evidence that the national 55-mile-per-hour speed limit, mandatory seat-belt laws and a crackdown by many



## Burden's Beat

Ordway P. Burden

states on drunken driving have saved a lot of lives. But it's also clear that Americans are beginning to chafe at restrictions imposed by the speed limit and seat-belt laws (although not at the idea of hitting drunken drivers with stiff penalties).

The speed limit was under siege in Congress this year as the Senate voted to allow states to raise their limits to 65 miles an hour on rural stretches of the interstate. In the House, the same measure was defeated by the narrow margin of 218 to 198, and undoubtedly the issue will be pressed in the new Congress. Opponents of an increased speed limit can point to a 10-year study by the National Academy of Sciences, which estimated that the 55-mph limit saved from 2,000 to 4,000 lives a year. Proponents say maybe so, but how about the time motorists lose dawdling along at 55, especially over the vast distances and straight highways of Western states? And how about the rights of states to regulate drivers within their own borders?

Besides, they point out, four out of every ten drivers are already exceeding the 55-mph limit, according to the National Highway Traffic Safety Ad-

ministration (NHTSA). In four states — Arizona, Rhode Island, Vermont and New Hampshire — more than 50 percent of all vehicles were observed exceeding the limit, and in only 13 states were less than 40 percent of drivers going 55. Furthermore, NHTSA statistics indicate that compliance with the limit has been slipping nationwide, dropping nearly five percent in the last three years.

Americans are not only fudging the speed limit, they are also becoming resistant to mandatory seat-belt use. Twenty-four states and the District of Columbia have enacted laws requiring the use of seat belts (although in Indiana and Oklahoma the laws don't go into effect until 1987) and several state legislatures are expected to consider the issue next year. But in two of the 24 states that passed such laws — Nebraska and Massachusetts — voters overturned them in referendums in the November elections.

In Massachusetts there was a strong feeling that the law represented a serious encroachment on the constitutional right of the citizen to be left alone by his or her government. According to the libertarians, it's one thing when the government enacts legislation to keep one citizen from hurting another citizen; it's quite another when the government forces a citizen to do something for his or her own safety (as the government sees it).

In contrast, the 55-mph speed limit might be seen as a law aimed at preventing citizens from harming others. Also, of course, the drunken-driving laws are made for the protection of others. The

mandatory seat-belt laws are in quite another category, it has been argued.

Thus, it is not just that the public is becoming resistant to mandatory seat-belt use because the belts are inconvenient, or because people like to live dangerously, or even because people don't believe that they save lives. Indeed, quite a few people prominent in the successful Massachusetts campaign against the seat-belt law have admitted that they personally use seat belts and encourage others to do so — voluntarily. They simply object to the incursion on their liberty represented by government's telling them to wear seat belts.

Another group opposed mandatory seat-belt laws in Massachusetts on the theory that the belts are not terribly effective, and that air bags would be much more effective. Their theory was that automobile manufacturers have been pushing mandatory seat-belt laws to prevent legislation that would require auto makers to incorporate air bags in all vehicles sold in this country. This group would like to see air bags become mandatory, and thus they oppose seat-belt laws. Interestingly enough, it is argued that air bags don't present the same civil liberties concerns that seat belts do. Air bags do not require the driver to do something (i.e., buckle up); they work automatically. Air bags protect others in the car, not just the driver. Just as seat-belt opponents don't mind the manufacturers' installing seat belts (it's the rule that the driver has to use them to which they object), they

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# Study profiles typical gun owner

Continued from Page 3  
the survey's findings, which ran counter to the stereotype he had formed of the handgun owner. "I had stereotyped the owner as someone younger, less educated, with a higher ownership among minorities."

That stereotype, Pride surmised, is probably formed by television and the news media where "people who get the visibility with handguns are usually criminals."

While handgun ownership is often attributed to the "down-trodden," said Pride, his survey shows that this is not the case. "It's really people in the higher

income levels, over \$45,000 a year."

"These are the people who are more security conscious, who have more to protect," he said.

A regional breakdown showed the highest number of handgun owners to be in the South — 23.4 percent of those surveyed. The Northeast had the lowest ownership percentage, with less than 10 percent.

Pride believes that handguns are more a part of the culture in the South. "I think there may be greater opportunities for target practice there also. I've also been told it is cheaper to buy" handguns in the South, he said.

## Diagramming sentences:

# Feds map out no-parole plan

The U.S. Sentencing Commission has taken its show on the road to solicit the views of criminal professionals regarding proposed guidelines that are designed to give greater uniformity to the Federal sentencing system.

The commission, created by Congress in 1984 to draft guidelines for implementation of a Federal determinate-sentencing law, has already issued a 170-page report that proposes methods for determining sentences for all Federal crimes and tells judges how to weigh the surrounding factors in the offenses.

The determinate-sentencing

law, which is due to go into effect next year, will abolish parole for Federal offenses, directing judges to impose the sentence the offender is to serve, with only limited consideration allowed for good behavior.

The head of the sentencing commission, Judge William W. Wilkins Jr. of the U.S. Court of Appeals in South Carolina, said the determinate-sentencing system would dramatically alter the way offenders are punished.

"Unwarranted disparity has been a problem in our system because it does not allow for certainty in sentencing, and many times fairness is missing," said Wilkins. The new law, he said, will assure similar sentences for similar crimes regardless of the judge or the area of the country.

The law will require judges to consider a lengthy list of factors about the offender and the offense and impose a sentence that permits only a 25 percent variance

between the minimum and the maximum sentence.

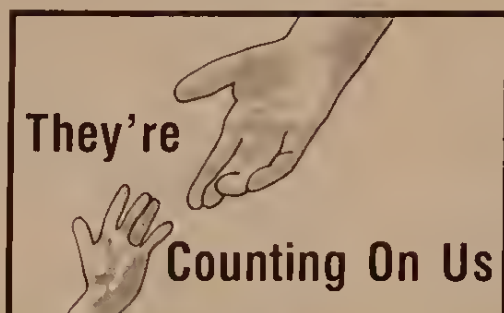
In a drug case, for example, judges may consider the amount of contraband the offender was caught with, whether minors were involved in the offense, the number of prior convictions, whether the defendant cooperated with authorities and whether he used illegal drugs. Taking these factors into consideration, the judge would then come up with a permissible sentence.

While a judge could deviate from the guidelines in unusual cases, such sentences would be open for appeal.

The proposed sentencing guidelines will only apply to the Federal court system, although a number of states have moved toward implementing similar determinate-sentencing approaches in recent years.

Judge Wilkins said the present

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## Americans chafing at driving restrictions

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don't seem to mind a law requiring installation of air bags.

There are others, of course, who truly believe that seat belts don't work, or even can do harm (for example, they might prevent someone from escaping from a burning car).

The NHTSA finds the evidence very strong, though perhaps not conclusive, that seat belts save lives. Said John Krause of the agency's Office of Occupant Protection: "Generally our studies project about 50-percent effectiveness in terms of reduction of fatalities and serious injuries. We looked at the national data for 1985 and found that your chances of being a survivor in a crash in which someone dies are 55 percent better if you're wearing a seat belt. The studies are very persuasive."

Krause cautioned, however, that so many other factors may be involved that the evidence must be viewed as preliminary. He also pointed out that in states with seat-belt laws, around 50 percent of the drivers don't comply. And, he added, "a complicating factor is that some of the last people to buckle up are some of the ones who are most likely to be involved in serious accidents."

New York, which had the first mandatory seat-belt law, and Illinois, which adopted one in 1985, have conducted studies showing impressive decreases in fatalities and serious injuries. In 1985 New York had 220 fewer fatalities and 18 percent fewer serious injuries than the averages of the three previous years, despite a 12-percent increase in miles traveled by motorists and a 9-percent increase in the total number of accidents. But, John Krause said, we can't yet be cer-

tain that it's all due to seat belts. For one thing, New York is one of the states that have cracked down hard on drunken drivers, with the result that its death toll from accidents in which at least one driver was legally drunk dropped from 979 to 717 a year between 1981 and 1985.

Nationwide, both the total traffic death toll and the number of fatal accidents attributed to drunken driving have been decreasing steadily. Since 1980, the nation's annual traffic toll has decreased from just over 51,000 to 43,800. Fatalities in which at least one driver was legally drunk (with a blood-alcohol level of .10 or higher) decreased from 20,000 a year to less than 18,000 in the same period.

The most significant figure showing improved highway safety, though, is the fatality rate per miles driven. Louann Hall of NHTSA's statistics branch said that since 1980 the fatality rate per 100 million miles driven has plunged from 3.34 to 2.47. No doubt stiffer enforcement of drunken-driving laws, higher drinking ages in most states, and improved automobile engineering have played a part in the decrease, but it's hard to escape the conclusion that the 55-mph speed limit and greater use of seat belts have contributed as well.

Still, America's love affair with the automobile continues, and so does our resistance to any restrictions on how we drive.

Ordway P. Burden is president of the Law Enforcement Assistance Foundation and chairman of the National Law Enforcement Council. He welcomes correspondence to his office at 651 Colonial Blvd., Washington Twp., Westwood P.O., NJ 07675.



# Police seek answers to lure of drug corruption

Continued from Page 1

anticorruption prosecutor. "At the upper level of narcotics you have big penalties and a whole lot of money available," he said.

The money is so great, noted Inspector Kane, that one drug ripoff could yield more than an officer involved in illegal gambling payoffs would see in 10 years.

And not only are the stakes higher, the take is easier as well.

"If you bring somebody into a hotel room and there's \$100,000 on the bed and you say 'Whose is it,' and they say, 'I don't know,' it's very easy to put it in your pocket and walk away. Nobody's going to complain," said Minneapolis Police Chief Anthony Bouza.

#### Knapp's waning influence

In Condon's view, the softening of social attitudes toward drugs has given rise to a new generation of officers with opinions on narcotics use that may differ from the views of their older counterparts on the force. "At least there was a divided opinion on whether [narcotics use] was bad or not," he said.

In addition to younger officers growing up in a more drug-tolerant society, a large proportion of officers in the NYPD were not in the department during the Knapp Commission hearings, Condon observed. Others were too young then to have paid much attention. "Whatever influence the Knapp Commission had in terms of a moral imperative no longer exists," he asserted.

Practitioners maintain that it is the unsystemic nature of narcotics corruption that makes it difficult to stamp out. While there have been cases of organized corruption involving police and narcotics traffickers, police say that for the most part narcotics corruption does not require the continuing relationship between grafter and grafter involved in liquor or gambling-related payoffs.

"The Knapp Commission cor-

ruption was a series of payoffs so there was always the possibility that it could be surveyed or wired, photographed, taped so that testimony could be used against you," said Chief Bouza. "This is a one shot thing — much easier."

In addition, the sources of corruption are simply much greater with narcotics than with other areas of vice. According to Robert Dempsey, Commissioner of the Florida Department of Law Enforcement, police see an enormous potential for wealth in the narcotics trade.

The temptation of huge scores in drug ripoffs is compounded by the frustration officers feel when they see drug dealers walk away from arrastra with light sentences. Sometimes there are no sentences, said Dempsey, because "criminal lawyers are getting them off."

In many cases, said Darrel Stephens, executive director of the Police Executive Research Forum, police see others in government and in criminal justice involved in drug activities. "There are people who are supposed to be pillars of the community getting rich off drugs," he said.

#### The real Miami vice

South Florida, which is a principal U.S. port of entry for illegal drugs, has been "permeated" with the tremendous temptation and volume of drugs and money. "It's not unusual for a patrol officer to stop a car in Miami on a routine traffic violation and find the guy has \$20,000 or more in cash on him," said one high-ranking Florida law-enforcement official.

"With some cops, sooner or later they're going to take the money, one way or another," he said. "And that's just the beginning. It's hard to stop after that."

Some officials, like Minneapolis's Bouza, believe there is a cycle to corruption which begins with the exposure of corrupt activities. The need for drastic ac-

## 'This is a one-shot thing — much easier.'

Police Chief Anthony Bouza

tion is recognized, he said, and such action is taken.

"All the forces that are arrayed against the drastic action are quiescent — the unions, the rank-and-file and those who stand to gain. They hunker down and let the blizzard pass over them and then they come back."

Indeed, noted Commissioner Dempsey, exposure may serve as a deterrent to those who are "marginal," but exposure will never deter anyone who is a "true crook."

"The true crooks are going to be crooks no matter what," he said. "They may lay low and to that extent, it is cyclical. To some extent, though, it has to do with public apathy."

Dempsey observed that when police corruption is tolerated by society, as it is in some South American countries, there is likely to be an increasing amount of avoidance of public service and payoffs. When it is not tolerated, those who might be prone to corruption will quickly realize that those activities are not acceptable. "If there are not as many corrupters in the social fabric, then obviously you have less corruption," he said.

#### It takes two

The very purchase of drugs by people in the professional class funds a subculture which then uses that money for corrupt purposes, thus making the purchaser part of the corruption process, according to John Jemilo, First Deputy Superintendent of the Chicago Police Department.

Police officers are human, subject to the same temptations as others, said Jemilo. "It's very difficult to have corruption if only one person is party to the corruption. There must be one who is willing, on the one hand, to cor-

rupt the law-enforcement officer and on the other hand, you must find a law-enforcement officer willing to be corrupted."

Jemilo views corruption as an ongoing process that has not been stopped by such precautionary measures as improved recruit screening, socialization and internal systems advising the public to report any conduct not in keeping with the highest law-enforcement standards.

#### Breaking corruption's back

While officials concede that narcotics corruption will be difficult for law enforcement to eliminate, the increased use of electronic surveillance and "body wires" has gone a long way toward breaking the back of the more traditional forms of corruption which are still very much plaguing police departments.

When a Philadelphia grand jury indicted 9 current and former police officers along with 27 racketeers recently, the arrests and indictments were aided by the use of electronic devices to record payoffs.

According to Inspector Kane, the Ethics Accountability Unit had an officer pose as a corrupt cop for two years. During that time, he was involved in 500 instances in which payoffs were videotaped or recorded by wire. "We recorded every conversation he had when he took money," said Kane.

Electronic devices are probably more effective against those types of transgressions than they are against illegal narcotics activities, Kane said — notwithstanding the fact that New York City bagged the 13 officers from the 77th Precinct by secretly wiring two corrupt cops who had been "turned" by the special anticorruption prosecutor.

"The opportunities for corruption are going to be the problem," Kane said. "You might have Joe Armstrong, all-American cop who's really never done anything corrupt in his life except take an extra cup of coffee and he walks into someplace and there's \$90,000 on a table. Nobody's going to claim the money, never mind letting him walk out with it."

The Ethics Accountability Unit, established by former Police Commissioner Gregore J. Sambor, takes a proactive approach to corruption — an approach that had been lacking in the Philadelphia Police Department for the past 25 years, according to Ian Lennox, president of the Citizens Crime Commission of Delaware Valley.

Lennox is a strong supporter of the field associate program implemented by Police Commissioner Kevin Tucker. The program, recommended by the Knapp Commission and a fixture of New York policing for more than a decade, recruits young officers to keep tabs on their fellow officers and report any signs of corruption to contacts in the internal affairs division.

#### Self-policing

"You're digging into the entrenched corruption which does exist here," said Lennox, "but there's one thing that's different. The Feds used to be the only ones uncovering this, but now the police department is doing it itself."

Lennox's observation has been echoed by others as well. While it is always unfortunate when an officer is found guilty of corruption, said Florida's Commissioner Dempsey, law enforcement should be pleased that the number of corrupt cops is so minuscule in the face of such overwhelming temptation.

"We feel the integrity level is very high," Dempsey said. "We obviously feel that law enforcement is able to police itself."

## Crime panel says court backlog in Philadelphia is taking its toll

A serious backlog in Philadelphia's court system is having an increasing impact on public safety in the city, according to the Citizens Crime Commission of Delaware Valley.

The commission estimated in its annual Indicators Report that 20,000 or more criminal suspects, many arrested for felonies but out on bail, have avoided timely prosecution because authorities either cannot find them or are so busy that a growing number of cases must be postponed.

Currently, there are over 15,000 defendants who are considered ready for trial but whose cases are backlogged in the city's courts. If all criminals took a holiday, said the commission, it would still take judges nine months just to clear existing dockets.

Over the past eight years, the

backlog in Common Pleas Court — where the most serious charges are tried — has tripled to 6,008 cases. Since 1985, only 8,910 defendants have actually been adjudicated.

In addition, the commission said, the court's Pretrial Services Division reported more than 30,000 outstanding bench warrants. About 13,000 of those are connected to domestic relations cases, mostly for failure to make support payments. About 7,000 of the warrants are said to be for fugitives wanted for serious felonies.

"It's my responsibility to find them," said Robert Johnson, who heads the division, "but I don't have the staff to impact the problem." Johnson has only two experienced investigators to track down the fugitives.

## 'Big-six' PD's form network

Continued from Page 1

forced to rethink procedures and methods which have proved too narrow a judge of law-enforcement effectiveness.

"What we do now is quite myopic," he said. "It is predicated on crime statistics that are flawed. We only get the tip of the iceberg with respect to the actual quantity of crime occurring because people don't report crime accurately."

"Therefore, when you start to gauge the effectiveness of a police agency based on the rise and fall of crime, it is an illusionary kind of base because you get a rise or fall which is a statistical variation," Williams continued. "It doesn't constitute a quantifiable increase or decrease whatsoever."

Williams said the Police Foundation will work with the big-city

police executives to develop a new approach that will allow researchers and practitioners alike to look more deeply into this issue and "come up with more definable parameters to tell how well we're doing."

## Sentencing commission unveils plan for no-parole Federal system

Continued from Page 6

Federal system of indeterminate sentencing creates a air of uncertainty in the criminal justice system. In one case, an armed robber may be sentenced to 10 years, Wilkins said, and in another case, he may receive probation.

Wilkins said that several major issues remain to be solved by the commission such as how to allow

The Police Foundation will record the "process of change" in the style of policing used by the big-six police departments, which Williams maintained would be "very enlightening for other police leaders."

for the continuation of plea bargaining without permitting it to circumvent sentencing guidelines, and how much consideration to give an offender who has cooperated with authorities.

The sentencing commission's guidelines are due to be presented to Congress next April and, unless overturned, they would go into effect along with new law six months later.



## Other Voices

A sampling of editorial views on criminal justice issues from the nation's newspapers.

### There is a Mafia, a monster of evil

"For anyone who suffered from the illusion that the Mafia is a matter of minor consequence, the 'Commission case' verdict must be required reading. So should the evidence that led to those convictions of eight high bosses of New York City's La Cosa Nostra families. When the jury had finished its duty — and a brilliant, courageous, selfless job is what it did — Michael Chertoff, the chief prosecutor in the trial, told Judge Richard Owen that the defendants were 'directing the largest and most vicious criminal business in the history of the United States.' Chertoff is right. There is no greater single evil, no more threatening domestic cancer, than organized crime. It took all the brains, concentration and energy of Chertoff and other Federal and local law enforcers to achieve the convictions. Every one of them should have his or her face on bubble-gum cards: They are genuine American heroes, and deserve to be honored as such."

— *The New York Daily News*  
Nov. 21, 1986

### Drop mounted patrol

"Toledo's mounted patrol may have caught the fancy of youngsters and others intrigued by the pairing of policemen and horses in the downtown area. But that is not enough reason to keep the program any longer. Despite the public-relations value of the patrol, it simply has demonstrated no vital role in a city in which crowd control — the primary task for mounted patrol — is seldom a major priority. For that reason a proposal from City Manager Philip Hawkey to abandon the program makes horse sense. The horses and officers atop them [are] a good way to build rapport with citizens. But all policemen should be encouraged to keep in closer touch with the general public. And reassigning the riders to police vehicles would allow the police division to respond more quickly to reports of crime. That has a definite public-relations value of its own."

— *The Toledo Blade*  
Nov. 19, 1986

### Cutting police precincts can increase protection

"Fewer precincts can mean better police protection for Buffalo. That is the reality about the new reorganization plan proposed by the Griffin administration. Combining precinct districts would mean eliminating pointless desk jobs and getting more police on the street, where they are really needed. Since cars aren't dispatched from stations anyway, the neighborhoods around the closed stations will not suffer. What they will be losing are not flesh-and-blood police officers, but buildings that say 'police.' The new plan would consolidate the precincts and cut the total from 14 to 5. Police officials say 45 officers now doing desk work could go on patrol duty. In addition, supervision would be improved by freeing up enough high-level officers to cover every shift. Since citizens now telephone to get police help anyway, rather than running to the neighborhood station, and since police officers travel by car, the need for so many stations vanished long ago. The 14 districts are left over from a distant past of horse-drawn wagons and bicycling patrolmen. There is bound to be some fear and misunderstanding about any plan to reorganize police units. Opposition can be expected from citizens who fear that losing the neighborhood stationhouse will compromise their safety. Given those realities, it took political courage for the Griffin administration to come out with the reorganization plan, despite the benefits of consolidation that are apparent once the situation is really understood."

— *The Buffalo News*  
Nov. 18, 1986

### City must deal with street drunks

"Sheriff Mike Hennessey's gambit to ease San Francisco County Jail overcrowding by refusing to book street drunks at first appears to be another bureaucratic response to a complex social, medical and legal problem. We shouldn't be too harsh on the sheriff. The courts have ordered Hennessey to reduce the inmate population. Most of the drunks he is housing have been jailed because of obnoxious — not criminal — behavior. If the jail is to continue to house common drunks, some offenders will have to be released. Hennessey is stuck because Mayor Feinstein or the departments of social services, health or housing have failed to deal with this vexing — and expensive — problem. The sheriff's decision to wait until Jan. 5 indicates he is trying to prod other agencies into action. Jailing street inebriates is easy; treating them is difficult. The kindly sheriff who lets the town drunk sleep it off in an overnight cell is the stuff of American folklore. The reality is that officers find this task professionally demeaning, and departments are not equipped for the job."

— *The San Francisco Examiner*  
Nov. 16, 1986

### Costly safety lesson for drivers

"The sight of school crossing guards and of youngsters standing on street corners should cause motorists to hit the brakes. It doesn't. Numerous drivers appear blind in school zones to the safety of pedestrians, yellow flashing lights and reduced speed limits. As a result, two guards have been hospitalized after being hit by cars in the past several years, and others have escaped close calls. Last week Jefferson County police officers began using another technique to get the message across. They are staking out school crossing with radar guns and unmarked cars and arresting drivers who exceed the 25 mph speed limit. In just three days they wrote more than 200 tickets. Their success was a sad commentary on drivers in too much of a hurry to slow down for children."

— *The Louisville Courier-Journal*  
Nov. 17, 1986

Dempsey:

## All hands on deck in Florida to combat crime organizations

By Robert R. Dempsey

Law enforcement success in attacking sophisticated and highly organized criminal groups can no longer rely solely on traditional criminal investigations, criminal charges and prosecution. Modern criminal enterprises are too resilient for these old, limited methods to effectively and permanently disrupt their illegal activities.

In its March 1986 report, the President's Commission on Organized Crime strongly recommended the use of such strategies as RICO (Racketeer Influenced and Corrupt Organizations) statutes and other regulatory proceedings to combat organized criminal groups that are capable of changing and adapting in order to survive even as individual members or leaders are incarcerated.

Last January, Professor G. Robert Blakey of Notre Dame University endorsed this multifaceted approach as being the most effective way to deal with modern organized criminal organizations. Blakey, recognized as being one of the fathers of the RICO concept, suggested that prosecutors and law-enforcement officials must change their thinking to cope with increasingly sophisticated criminal activity.

At the Florida Department of Law Enforcement, we agree completely.

Back in 1982, our awareness of this situation led the FDLE to take a lead in creating a new strategy for the department in pursuing long-term complex investigations. Since then we have gone beyond charging high-level offenders criminally: We have attacked them and their enterprises with every civil and regulatory sanction at our disposal. We have seized their illegally obtained assets and the proceeds of those assets, dissolved their corporations, sought disbarment for their attorneys, revoked their beverage licenses, requested tax-evasion actions against them and, in short, left no possible civil or criminal sanction unapplied to these individuals and their organizations.

The application of this Integrated Approach to Combating Organized Crime has turned up impressive results to date:

¶ Forfeiture proceedings have led to the seizure of \$9.8 million in real estate, more than \$1 million in currency and \$340,000 worth of vehicles, aircraft and vessels.

¶ Thirty-eight corporate charters and 10 business licenses have been revoked or suspended.

¶ Three hundred seventy-five persons have been arrested, resulting in 100 convictions or guilty pleas.

¶ Courts have imposed \$6.9 million in fines.

¶ Twenty cases have been referred to the Florida Department of Revenue for tax implications, 18 to the U.S. Internal Revenue Service for tax fraud, 17 to the Florida Attorney General's office for his action, 12 to the Federal Aviation Administration for revocation of pilot's

licenses, 10 to the Florida Comptroller's office for possible banking violations, and 9 to the Florida Department of State for additional corporate sanctions.

The Integrated Approach is actually fairly simple. If a proposed criminal investigation meets predetermined criteria, as judged by a professional panel selected by the FDLE, it is designated as a target case. This means that in addition to the traditional investigative and prosecutorial actions taken, attention is given to other areas of investigation and attack, such as money laundering, RICO actions, license review, tax implications and so on. The primary panel consists of three top members of the FDLE, the head of the Attorney General's RICO section, the chief prosecutor for the statewide grand jury and, as cases require, representatives of the Department of Revenue, the Comptroller's office, the Department of Business Regulation, the Insurance Commissioner's office and others.

When members of a group that has been designated as a target case are charged with criminal activity, all assets become the subject of a civil racketeering lawsuit by the Florida Attorney General's office, all corporate charters are referred to the Florida Secretary of State for possible revocation, evidence of criminally involved attorneys is referred to the state bar association for disciplinary action and information on criminally involved holders of state licenses — liquor, real estate, and so on — is sent to the appropriate licensing agency. Suspected tax violations are brought to either the Florida Department of Revenue or the U.S. Internal Revenue Service for action. The underlying theory is essentially a simple one: If individuals or organizations are acting illegally in one area of activity, it is fairly likely that they will doing the same in other areas even though they may have the appearance of legitimacy.

The Florida Department of Law Enforcement, like many other law-enforcement agencies, has limited resources that must be deployed to deal with a multitude of criminal problems. As such, this program and the dedication of a number of special agents has proven extremely fruitful. Since the inception of the program, we have used these limited resources, augmented by specialists from other agencies, to develop 44 cases targeting 49 criminal organizations. The figures cited earlier indicate the benefits of our investigative activity in this area, and additional results are still being obtained. This united effort has eliminated conflict and redundancy while resulting in efficient and economical utilization of resources.

Although the program has had numerous significant success stories,

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Robert R. Dempsey is commissioner of the Florida Department of Law Enforcement.



With little money and hardly any staff, the national Fraternal Order of Police has flourished over the past 70 years to become the largest law-enforcement organization. This venerable, unique association, which handles the needs of both management and the rank-and-file in its capacity as a bargaining agent while still clinging steadfastly to its status as a fraternal organization, has been given a political shot in the arm since a plain-speaking lieutenant from Oklahoma City was elected president four years ago.

During Richard Boyd's tenure, the FOP has not only experienced a steady pattern of growth in membership, but in political clout as well. Last spring, the FOP got a chance to sink its teeth into one of the hottest law-enforcement topics of the year — gun control. Boyd, a self-proclaimed "political animal" who served 20 years with the Oklahoma City Police Department before he retired, has always been involved in union activities.

Although the Fraternal Order of Police does act as bargaining agent for departments ranging from hundreds of 10-member outfits all the way up to 8,700-officer

Chicago Police Department, one should be careful before calling the FOP a union. Boyd maintains stridently that the FOP is "not a traditional union." In the FOP, he says, the bottom runs the top, with the local lodges being the strongest entity in the organization. "I don't come in as the national president and tell them what to do," Boyd says. "They tell me what to do." Nor does the FOP take a "traditional union approach" to its politics. Boyd says the organization is simply pro-police and does not support political candidates on the basis of unrelated issues such as Social Security or income-tax reduction.

But while the FOP may not be political in the traditional union sense, the organization is one of the most vocal law-enforcement organizations on Capitol Hill. The fight over gun control that was waged this year is not over yet, he says, and he vows to "fight to the end" to keep machine guns illegal. The machine-gun issue is one of the few amendments law enforcement won in Congress last year against the powerful lobbying of the National Rifle Association. And while law enforcement congratulated itself for that, Boyd had no qualms about

calling the shots differently — he maintains that the NRA kicked law enforcement's butt.

In fact, Boyd doesn't have many qualms at all about calling a spade a spade. When asked whether the FOP supported universal drug testing, Boyd feigns a sort of folksy innocence before asking, "Is that when they all get together once a year to pee in a bottle?" In terms of contract negotiations, Boyd says that these days it doesn't matter how well police officers do their jobs — it's politics that's going to win pay raises. "And isn't that the American way?" he asks wryly.

Given the vagaries of modern-day policing, the FOP president says a police organization is more vital than ever — although Boyd can't see a time when it wasn't. "Of course I'm prejudiced toward the Fraternal Order of Police, but these days and times where the liability of policing is so high, where the vicarious liability of the city and the personal liability of the officers has been laid out for everyone to see, I don't see how any agency gets along without a police organization. It's needed, and very badly."

**'You don't get raises because you're the thin blue line between crime and the end of the world — you get 'em because of the political situation, and we're just now realizing that.'**

## Richard Boyd

**National president of the  
Fraternal Order of Police**



Law Enforcement News Interview  
by Jennifer Nialow

**LAW ENFORCEMENT NEWS:** It's been said that the FOP is not a traditional union. In what way?

**BOYD:** Number one, we don't have the infrastructure of a traditional union. The bottom runs the top. The local level of the Fraternal Order of Police is the strongest entity of the FOP, and then we have the state lodge system and the national lodge system. The state and national lodges often are advisory and service-oriented to the local lodges to make sure that they have that information necessary to perform the function they want, whether labor, legal, legislative, administrative, expansion, whatever. So the strong entity's at the bottom, and I don't come in as the national president and tell them what to do. I cannot do that. They tell me what to do through the national convention and the board of directors. In that sense our makeup is not the same as traditional unions.

We also don't have the dues structure of a traditional union, because we don't have the full-time people at the national level that run traditional unions. We're not handing out a lot of high-paid salaries. We're paying for administrative people, but not for paid executives. So it keeps the dues structure down. I'm not saying that we

shouldn't become a little more sophisticated at the top; that's certainly what we want to do. But right now we're not taking the members' money and then paying someone off to be president.

Probably the way that we work the local municipalities, counties, states or whatever is different also. We work it on a knowledgeable approach, rather than on a traditional labor approach. We're not traditionally Democratic in nature, we're not Republican. We're pro-police and we try to take a credible position, and we're not tuned to accepting the traditional union role when it comes to politics, like you must support this person because they're for Social Security, or support that person because they're for income-tax reduction, or whatever it is. We're not plugged in to traditional union dogma.

Those are the main differences, and it must be working for us because we're the biggest police officers' organization in the United States, with 173,393 people. Our closest competitor for labor unionism would probably be in the neighborhood of 16,000 members.

**LEN:** Who would that be?

**BOYD:** The I.U.P.A., the International Union of Police Associations, AFL-CIO. Or the International Brotherhood of Police Officers, AFL-CIO. They have

those two traditional police unions in the same AFL-CIO structure.

**LEN:** Has there been any noticeable shift of allegiance from the type of organization that the FOP is to a more traditional type of union, such as IUPA or IBPO?

**BOYD:** No, there hasn't been, and in fact there's been a withdrawal from them because our organization is growing rapidly and the others seem to be having gains and losses and staying about where they are. So we don't expect that the AFL-CIO will have any bigger membership from what they currently have in about five years from now. On the other hand, we expect that the FOP will be over 200,000 members within the next three or four years.

### Teamster muscle

**LEN:** Given the intensive efforts made by the Teamsters to organize police officers — or away their affections from other unions — do they pose a legitimate option for police officers, or do the officers look to the Teamsters more in the way of a bargaining wedge, a threat to management?

**BOYD:** It's a threat to management. They do not per-

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**'We are not against drug testing, but we are for maintenance of constitutional rights. We're for protection of the samples once they're taken, and we're for dual samples so that there's a second opinion about results.'**

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form an option for police officers to join because they simply don't have the wherewithal to negotiate police contracts. They don't have the numbers of police it would take to be productive financially in the public employment area or the police area, and the police themselves are reluctant to use them because of the stigma of the Teamsters organization and some of its past history. The places that have gone to the Teamsters have usually done that as a threat to their city or their agency to make certain changes, and they see the Teamsters maybe as a threat that will gain them some advantage when it comes to that particular situation. We have not found that to be true. We've not found that to be of any assistance to them. It's unfortunate that some police departments have done that, but the numbers are well below 10,000 members across the United States for Teamsters in police agencies.

LEN: Can the Teamsters offer police officers anything?

BOYD: Well, they won't stop a truck for 'em [laughs]. Sometimes the misguided theory is that if you have the Teamsters and you need some assistance at the bargaining table, they'll stop all the trucks coming in and out of the city for 'em and try to bring some pressure to bear on negotiations. But the Teamsters simply will not do that. So we don't see how they've been effective at all in the past. The most effective technique at the bargaining table is to know your adversary's position as well as they know their position, and that's what we try to do.

LEN: Given the prospect of drug testing and certain methods used to root out corruption, such as polygraph testing, mass transfers, etc., does that make a strong police union more important today than it might have been years ago?

BOYD: I don't know how the personnel in any police agency can deal without a police organization of some type. Of course, I'm prejudiced toward the Fraternal Order of Police, but these days and times where the liability of policing is so high, where the vicarious liability of the city and the personal liability of the officers in the performance of their duties has been laid out for everyone to see and take a shot at, I don't see how any agency gets along without a police organization. It's needed, and very badly. It's probably just now that we're getting to realize that, but it always has been that way, because the nature of the game up to this point was politics. You didn't get your raises or your benefits because you were the thin blue line between crime and the end of the world — you got 'em because of the political situation in that community, and we're just now realizing that. I think doing a good job doesn't often times have a lot to do with whether you get a pay raise or not. It's politics. And isn't that the American way?

**The biggest, for a reason**

LEN: A few years ago, deputy sheriffs in several of Ohio's largest counties broke away from the FOP so that they could form an organization that could better address problems unique to sheriffs' departments. Does this speak to a certain fragmentation with the FOP?

BOYD: I don't think there's a whole lot of fragmentation, because we're the biggest and there's a reason for it. There's a lot of dual memberships, with the National Sheriffs' Association or the National Troopers' Coalition, things that are unique to a particular group. But the lobbying efforts that are being done nationally by the Fraternal Order of Police are probably recognized as the best lobbying efforts being done in law enforcement. If anything, law-enforcement officers should join the Fraternal Order of Police for the Congressional influence that we can offer.

LEN: Would there be any problem, then, with a department's officers wanting to join the Fraternal Order of Police for one reason and the International Brotherhood of Police Officers for another?

BOYD: That has happened, but we would never recommend membership in another union. I'm talking about membership in a group like the troopers' coalition or the sheriffs' association, but not two labor organizations. We don't recommend that anybody join both the AFL-CIO and the FOP.

LEN: Would this perhaps suggest that the FOP has to be more diverse in meeting the demands and needs of different membership factions?

BOYD: Well, that's a misnomer too. They might belong to the sheriffs' or the troopers' association, but I don't think they get any more particular benefit out of it than they would with the Fraternal Order of Police, because we cover the spectrum pretty well. The sheriffs' association doesn't have a better lobby than us, the troopers' coalition doesn't have a better lobby than us, and so on down the line. So they're just doing it because of peer pressure or some other unique situation.

LEN: So there's been no need to redefine who and what the FOP is?

BOYD: No, because we haven't lost any membership over it. If anything they're just paying more money to other organizations for one particular reason or another,

LEN: How do you smooth out something like that?

BOYD: I think you need the realization that everyone has their job to do. The management — and not just police managers, but people like the city manager, the city council, the mayor — has the responsibility to keep their budget down, while the responsibility of the labor organization is to get the police officer paid for the job they do. So if everyone realizes what the other's job is, negotiations can go a lot smoother.

LEN: Is drug testing likely to become a standard bargaining issue in police contracts?

BOYD: It has to be. In order to prevent law-enforcement officers from going to court to defend their constitutional rights, the drug-testing issue must be a bargainable item.

LEN: So drug testing is here to stay?

BOYD: Yes, although I don't know exactly why. I don't know of any citizens that are really beating down the police doors demanding that their police officers be drug tested. This seems to be coming from management, and I guess it's really an offshoot of the drug-testing situation that the President of the United States initiated. I think the theory is that if you catch it in the workplace, as Mr. Meese said, then you'll eliminate a lot of the abuse of drugs that's been going on in the country. It doesn't address the criminal activity, however, and we would think that the criminal activity should be given some priority over the workplace.

LEN: So would the FOP be for or against drug testing generally?

BOYD: We are not against drug testing, but we are for maintenance of constitutional rights. We're for an exact protection of the samples once they're taken so that the integrity of the samples can be maintained, and we're in favor of dual samples so that the officer can also have independent analysis of urine so that there's a second opinion

**'Doing a good job doesn't often times have a lot to do with whether you get a pay raise or not. It's politics. And isn't that the American way?'**

but that's freedom of choice. But they still belong to the FOP, and that's what's important. They know the FOP is the one that's really performing the overall function and making the difference when it comes to law enforcement's voice.

**The view from the bargaining table**

LEN: It's been said in some circles that management-labor struggles are adversarial processes in which each side seeks to come out on top. As you see it, is that how labor relations are viewed in the police sphere?

BOYD: Many are viewed that way, but only because of prior history. I've certainly been in negotiation sessions where the opposite was true, where there was complete cooperation between labor and management to get a good agreement. So the framework's there to do that. It's unfortunate but true that the organization process in the initial stages of a contract are the most difficult periods. The people who've had contracts for a number of years have settled in and recognized the ability of labor, and labor recognizes the ability of management to do its job. But the most trouble we're having right now is with initial contracts and just charting new waters.

LEN: Is there something inherent in collective bargaining that makes it an adversarial process?

BOYD: I think there is. When the personal rights of a law-enforcement officer are taken and negotiated for by a labor organization, management often feels that labor doesn't trust them or doesn't think that they will put the law-enforcement officer as a priority. It's probably a kick to their ego, more than anything, in the fact that they no longer speak as an administrator for the police department, but instead there is a separate voice for the police department, and that's the labor organization speaking for its members' personal rights.

ions about the results. All of those things should be negotiated.

LEN: What about universal or random drug testing?

BOYD: Well, we believe that there should be testing only on reasonable suspicion of some kind. If the individual and the organization wants random drug testing, then they can negotiate that. I don't see that as being one of the items, though, that they would be giving a priority to. I think that the probable cause standards would probably be the most negotiated position.

LEN: Are individual FOP chapters at liberty to adopt a posture on drug testing that differs from a position that the national organization adheres to?

BOYD: Well, the Fraternal Order of Police is not a traditional union, so I can't just develop a standard and tell everyone what it is. I have to have a board meeting and a national convention in order to give such a standard. We give the responsibility for those types of decisions to the local level, so that they can make a decision depending on what their particular situation is. We will supply them with all the pertinent information that they need to make that decision, and then next year at our national convention I'm sure we'll have a resolution that will set a standard for the national group's position. We have issued white papers on drug testing to our members, to bring them up on what standards are available, what the case law's been and what the experience in other departments has been so far, so we're going to supply them with the information that they need to make that decision.

LEN: As you see it, could opposition to random drug testing become so great as to make the negotiation of random drug testing almost impossible?

BOYD: If you could win constitutionally in the courts



# Interview: FOP president Richard Boyd

on that, then maybe it's not negotiable. So why should we give up something that the courts are going to give us. And they seem likely to go in favor of the constitutional right of the individual against unreasonable search.

LEN: Are you aware of any cases in which the courts have gone the other way?

BOYD: I don't think so. The only cases where the judges have backed testing has been on the basis of some reasonable suspicion.

LEN: Is there any indication that the rank and file want this sort of testing?

BOYD: No, at least not random testing. I think the uniform opinion is that we're not afraid of drug testing, and we certainly don't want officers working the streets of this nation to be abusing or illegally using drugs. So we're not afraid of that position.

LEN: How about universal testing, for everyone in the department from top to bottom?

BOYD: You mean one time a year everybody goes and pees in the bottle? I don't think we'd be afraid of that, but I suspect that would probably defeat the thing that they want to gain. If everybody had notice of when the thing was going to be, well, I'm going to get as clean as I can get by that date. I don't think that's what they intend to do. I think that they intended that drug testing be part of some situation where if there was reasonable cause to believe that there's an abuse, then there's a procedure established to test that person out. Universal or random testing doesn't seem to be the entire answer.

LEN: What would the FOP generally go for in a negotiation on this issue?

BOYD: Protection of constitutional rights against unreasonable search. That's about it, and that's plenty good enough.

## No need to strike

LEN: Going back to the view of the FOP as not being a traditional police union, that suggests the whole issue of strikes by police. In your view, are police strikes ever necessary?

BOYD: I don't think there's ever a necessary police strike. I'm not saying they haven't happened, but they're never necessary because cooperative efforts by any public agency and its law-enforcement organization would prevent any type of job action. And I'm not aware of anyplace in the country where a police strike would be legal.

LEN: If police cannot strike, how does a union show its muscle when contract negotiations break down, since the traditional union method has been to walk off the job?

BOYD: Like you said, the traditional union method has been to strike. We're not a traditional union. You can do it through knowledge and providing information to the community. We go into a bargaining situation knowing what the city budget is, so that no one will kid us about what kind of money is available. Any person that goes into a negotiation situation unprepared will often wind up in labor difficulties. But if you're prepared and then you make the citizens aware that the city or whoever is either lying or unwilling to come across with the money, then you're going to have a better settlement record than you would if you don't know what the city is doing. There's been eight or nine police strikes in the United States since 1974, and they could all have been prevented with cooperative efforts at the bargaining table, and they could have been prevented if one side or another was a little more prepared.

So it comes down to knowledge and a good strong political situation. We all have our First Amendment rights, and I think that police officers should be strongly involved at the local, county and state levels in the political system.



Boyd leads a delegation of police officers from across the country in a rally on the steps of the nation's Capitol last spring to protest proposed changes in the Federal Gun Control Act.

Wide World Photo

LEN: In what way should police officers be involved in politics?

BOYD: By making public officials accountable, by influencing the election of public officials, and by becoming involved in the legislative system and influencing legislation themselves. They do it by voting, by being part of political action committees, being part of candidate support groups, being part of school boards. You have to be imbedded in the community as well as the Chamber of Commerce is.

## Agreeing to disagree

LEN: Do you believe that a single, strong national police union is a possibility?

BOYD: Right now, no. We've gotten together before

and we can't get any common ground.

LEN: What are the sticking points?

BOYD: Probably the traditional line, the makeup, the strength, the dogma issue, the approach, leadership, organization. All these things have been so different that we've not been able to agree on any central idea.

LEN: Might a single national organization be possible in the future, or are the same stumbling blocks likely to come up again and again?

BOYD: Well, as long as there's people involved in it and they're just there because they get a salary, no, I don't think it'll happen. It's like being involved in negotiations. The process of negotiations is a process of making tough decisions, and when you're not willing to make those tough decisions you don't get anything done. Like giving up your job in favor of the good of the law-enforcement officers. It's hard to turn down \$50,000-dollar-a-year jobs for the good of the men.

LEN: One police labor leader said that the FOP is bobbled by having very little money and staff. . .

BOYD: I won't say that we don't need a little more sophistication, but we don't need a traditional approach. I'm happy that we don't have a lot of money, because it goes back to our members. I mean, what the hell would we be doing with it? Putting it in the bank and saving it for somebody or paying somebody sixty, seventy thousand dollars a year to be a president and go to luncheons and stuff? No, the money needs to go back to the local law-enforcement officer. The money needs to be retained at the local or state level, because that's where it's best used. Say I was a traditional AFL-CIO person. Why would I pay \$21 a month in dues to the AFL-CIO, and then the AFL-CIO gives me about six or seven percent of that back and keep the rest at the national level? That's bull. What happens in the FOP is if you pay \$21 a month in dues, \$3 of it goes to the grand lodge. All the rest of it is retained at the state and local level. We need the money to be used where it can best be used, and that's to handle the officers' problems at the local level.

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**'The process of negotiations is a process of making tough decisions, and when you're not willing to make those tough decisions you don't get anything done.'**



# Boyd: 'We'll never be a traditional union'

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LEN: In certain jurisdictions the FOP includes members from both the officer ranks and the managerial ranks. Does that ever create any tension in terms of representing the needs and interests of both?

BOYD: We handle that two different ways. One is the democratic way; we simply outvote those people we want to outvote. But we don't want to alienate anybody. The first thing that's a problem with not allowing people of different ranks into your organization is that you alienate them. So let 'em have their say at the meetings, and then the power of the vote is what it's all about.

Number two, we handle it another way for bargaining units in places that have labor contracts. They have what they call labor councils, where they have two meetings in the same night. One meeting is for the labor council people and those people covered by the bargaining unit, and the other meeting is for the general membership to discuss legal, professional and legislative items but not labor items. But we certainly don't want to want to alienate our brothers and sisters at the command level.

LEN: It's been said in some quarters that there's a struggle within the FOP between those who want it to become more of a traditional union and those who favor it remaining as it is, a fraternal organization. What do you make of this suggestion?

BOYD: Well, it's not a struggle so much. We will never be a traditional union. But we are restructuring a lot of our things. As I said a minute ago, we separate out the labor portion in many cases, so that we pay strict attention and specific dues to that portion of it and then we still have our professional side, our legal and legislative aide, for all law enforcement. So it doesn't go into traditional unionism. It's just some delicate balancing act at the local level.

LEN: Is this a balancing act that's likely to continue for the foreseeable future, or do you envision further changes taking place?

BOYD: The big change that I see happening with the FOP is at the national level. I see us becoming a little more sophisticated at the top, a little better administrative ability, probably a little better ability to take care of our leaders so that we have some sophistication there, some expansion things where we have full-time people to expand the Fraternal Order of Police, and I see us negotiating at the national level for many Federal policing agencies and doing contract work at the Federal level.

LEN: Is there a typical size of the agency that belongs to the FOP?

BOYD: Any size. We handle Chicago and Philadelphia, which are our largest, down to a 10-member police department — and we've got hundreds of those.

LEN: Have any police departments pulled out of the FOP to go with another organization?

BOYD: Well, there can't be many because I'm trying to think of one and I haven't come up with one yet. Once they get in, they don't usually get out. They always feel like the Fraternal Order of Police is something to belong to even if they don't use it as their primary organization.

## One for the loss column

LEN: Earlier this year, the FOP joined in the fight against overhaul of the Federal gun laws. When the final legislation was passed and signed, most police organizations seemed generally content with the outcome, but you said at the time that the National Rifle Association "kicked our ass." Has your view of that situation changed since then?

BOYD: No, I thought it was a loss for us, because I thought that the Congress would accept the recommendations of their law-enforcement leaders across the country. They did not do that. I had one Congressman tell me that the NRA's been working on McClure-Volkmer for six years, and we just now came out within the last year and a half to say we're against it. So they

worked on this longer than you have, he said, and we're going to give it to them. What it tells me is that if I want to get a bill passed, I just have to make sure that I work on it for five or six years and then I'll get it passed. It has nothing to do with right or wrong, or fairness or equity, or safety or non-safety. It only has to do with how long and how much money you put into it and how much effort you've given it.

LEN: Why did law-enforcement groups get involved so late in the process?

BOYD: We didn't, actually. We didn't get into it late. What came about late was the coalition of 600,000 law-enforcement officers through 13 or 14 different organizations. Otherwise we'd been working against McClure-Volkmer for three years, and it wasn't until we got all the law-enforcement organizations to say the same thing that it appeared we had come on the scene.

LEN: What more, if anything, could law enforcement have done to alter the outcome of that legislative process?

BOYD: Let the truth be known, which means that the NRA built this up as hysteria and as the most "important" piece of gun legislation ever to affect their

taining our coalition of law-enforcement groups against any particular issue — or for any particular issue — as it comes about.

LEN: Are there specific issues that have come up since the gun bill on which you're together?

BOYD: The first one that we've worked on was also on gun legislation. The NRA has indicated that it will come back in the 100th Congress to reinstitute the legal sale of machine guns, and we will fight that to the very end.

LEN: Have you learned any lessons from the original fight over the gun bill that might be put into action on the machine-gun issue?

BOYD: Well, we told the Congress and the Senators when they went home after recess that they should not make any commitments to the National Rifle Association on this bill, because everyone in the United States is going to be looking at you.

LEN: So you're planning to get tougher with Congressmen?

BOYD: Well, yes. We are not going to operate under the theory that there's an acceptable level of violence that

***'The NRA built up [McClure-Volkmer] as a gun-control issue, and it certainly was not. It was a law enforcement and safety issue, and had nothing to do with buying guns.'***

members, and indicating that this was a gun-control issue — and it certainly was not. It was a law enforcement, investigative, safety issue, and it had nothing to do with buying guns, 'cause you could still buy 'em till hell wouldn't have at you, and it was a states' rights issue. So I think truth would've helped.

LEN: Have you noticed any major problems caused thus far by that legislation?

BOYD: It's a little too early to tell. But the problems it's caused so far is that we are now, ever since passage, losing records that we had previously. So when it comes to traceability and crime, that will be determined through the loss of records. I guess it's going to take a while to find out just how bad it's going to be for us.

## The grand alliance

LEN: It's been suggested that if any good came out of the battle over the gun legislation, it was that those 13 or 14 organizations representing all areas of law enforcement got together on a single issue. Has the bond that was forged then lasted?

BOYD: Yes, and in fact it's continuing. We know that there's a lot of issues out there that we all can't agree on, the management, professional, research and labor organizations. But there are some that we can agree on, and why not be together where we can? So we're main-

we all must participate in. We think that the safety issue, the protection of the officers and the protection of the public would tell us that we have to take a preventive type of approach to some of those issues.

LEN: The IACP, for one, has made it fairly clear that its once warm relationship with the NRA is now much chillier — to the point of barring the NRA from exhibiting at the 1986 IACP conference. What's your assessment of the general state of affairs between law enforcement and the rifle association? Have the bonds completely broken down?

BOYD: I would say that in 90 percent of the cases those bonds have completely broken down.

LEN: Can the bonds be repaired?

BOYD: Well, we're not seeking that repair right now. What we are doing is trying to replace some of the things that we depended on the NRA for in the past with some of our own procedures, like gun training, certification, firearms competitions, things like that.

LEN: Might that not put some extra strain on law enforcement to begin doing all these things on its own?

BOYD: I guess it would, but when you're talking about safety issues I guess the strain would be worth it.

**Coming up in Law Enforcement News:**

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# More than one way to skin organized crime

Continued from Page 8  
two examples merit special attention.

¶ A 1983 investigation by FDLE resulted in cocaine-smuggling charges against 65 people in two trafficking organizations that together imported 23,141 pounds of cocaine into the United States. Highlighting the two phases of our Operation Grey Rider were the multiple charges against the prominent Bahamian attorney Nigal Bowe for acting as a drug-trafficking arranger and the successful extradition from Colombia of large-scale traffickers Jose Antonio Cabrera-Sarmiento and Severo Escobar.

Cabrera Sarmiento, identified as one of Colombia's leading cocaine suppliers, was convicted of drug trafficking by a Florida state court in September 1986. Escobar, charged with being Cabrera-Sarmiento's American cocaine distributor, is soon to be handed over to Florida authorities by the U.S. Government for trial on drug charges.

The first phase statewide grand jury indictment, handed down in April 1984, charged that Cabrera-Sarmiento supplied 16,937 pounds of cocaine brought into the United States between June 1982 and November 1983 by a large smuggling organization headed by Jack DeVoe of Miami and Ronald Markowski of Burnsville, Ill. The second phase indictment, handed down in October 1986, charged that a Colombian named Alvaro Donado headed a separate smuggling ring that brought 7,304 pounds of cocaine into this country. A defendant charged as part of the smuggling ring, Frank Brady, has agreed to forfeit \$4 million to the state of Florida and has already turned over more than \$2 million in cash and property. As a result of this Integrated Approach investigation, the Internal Revenue Service has filed \$12 million in liens, information has been provided to the Florida Department of State for the possible revocation of 25 corporate charters, and information has also been forwarded to such agencies as the Federal Aviation Administration, the Florida Bar Association and the Florida Department of Highway Safety and Motor Vehicles for other civil and regulatory actions.

¶ In another highly significant case, the Broward County State Attorney's office has filed criminal charges against 41 people and corporations as part of

FDLE's Operation Tigertail, which targeted an organized crime-based conspiracy to steal millions of dollars in gasoline tax revenue from the state of Florida and the U.S. Government through the filing of false state tax returns. The most prominent defendant was Michael Franzese, a 35-year-old member of the Colombo organized crime family, who allegedly helped to run the tax-theft scheme. Numerous other individuals and corporations who were not connected with traditional organized crime were charged in the second phase of Operation Tigertail. They allegedly filed false tax returns or no tax returns at all to cheat Florida out of gasoline tax revenues. To date the state has recovered \$437,000 in forfeitures and is expected to receive an additional \$5.5 million in court-imposed fines. Of the 37 defendants arrested on the Operation Tigertail charges, 17 have been convicted through plea bargains, two have been convicted by juries, and pleas are expected from 14 others.

As a result of this investigation, nine businesses were effectively neutralized through the filing of RICO charges and the freezing of assets. Four Florida motor fuel licenses and/or special fuel licenses have been revoked and \$99 million in liens have been filed by the state Department of Revenue. FDLE worked with 10 state and federal regulatory agencies in Florida, Connecticut, New York and New Jersey in the course of the investigation, including the Departments of Revenue in Florida, New Jersey, New York and Connecticut, the Internal Revenue Service, the U.S. State Department and the Florida Division of Alcohol, Beverages and Tobacco, Department of Agriculture, Department of Banking and Finance, Department of State and the state Comptroller's office.

This concept of dealing with organized crime has not been easy to implement. It requires training and reinforcement of investigators and intelligence analysts. It will often be difficult to redirect the traditionalists into thinking in broader terms than simply gathering evidence of criminal conduct and seeking criminal charges and prosecution. They must be convinced that the traditional approach is only the beginning of effective investigative activity to attack

organized crime. They must learn to evaluate, interpret and utilize bank, corporate, real estate, financial and many other types of business records. They must be aware of the potential for civil and regulatory actions against their targets and how and when to bring experts from those areas into their investigations. They must follow up. The law-enforcement executives seeking to implement this approach must be patient and tenacious to see that the objective of truly

dismantling organized crime is achieved.

It is clear that the Integrated Approach to Combating Organized Crime is the mandatory next step in law enforcement's meeting the challenge raised by more sophisticated organized criminal activity. We in Florida are fortunate to have the statutory tools and the cooperative agency relationships needed to continue the successful implementation of this program. Only through such cooperative ef-

forts and sharing of resources and expertise will governmental agencies be successful in dismantling the criminal organizations that contribute so greatly to our society's spiraling crime statistics.

(For more information on the Integrated Approach to Combating Organized Crime, write or call: Robert R. Dempsey, Commissioner, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302. (904) 488-8871.)

## Supreme Court Briefs:

# Looking back at the '85 docket

Continued from Page 5

defendant's *prima facie* case of discrimination by stating merely that he believes the challenged jurors would be partial to the defendant because of their shared race. The Court rejected arguments that its holding would eviscerate the values served by the peremptory challenge. The case was remanded for further proceedings to determine whether the prosecutor might come forward with a neutral explanation for his action.

Justice White concurred but suggested that the decision be prospective in application. Justice Marshall concurred but would have abolished peremptory challenges entirely, since he believed that defendants as well as prosecutors may distort the purpose of the peremptory challenge. He pointed out, as did the majority, that peremptory challenges were not constitutionally mandated.

Chief Justice Burger and Justice Rehnquist dissented on the ground that the equal protection challenge had been settled in *Swain*. The Chief Justice also noted that the defendant had raised only the Sixth Amendment challenge. He pointed out the venerable history of the peremptory challenge in both England and the United States, and foresaw great difficulty in applying the Court's new holding. Justice Rehnquist also filed a separate opinion in which he saw nothing wrong with the use of

peremptory challenges to strike members of a racial group from the jury in cases involving members of such a racial group.

Two-phased inquiries  
*Turner v. Murray*, 54 L.W. 4411 (April 30, 1986).

This case holds that a black defendant indicted in Virginia on charges of capital murder — for fatally shooting the white proprietor of a jewelry store — was entitled to question prospective jurors on the matter of their racial prejudice. He was entitled to set forth the race of the victim, his own race and then to inquire whether his race and that of the victim would prejudice the prospective juror against him. This holding was applicable only to the capital sentencing proceeding.

Justice White delivered the opinion, in which he was joined by Justices Blackmun, Stevens and O'Connor. The opinion noted that the Court's holding would not apply to the guilt phase of the trial, in which the jury would have less discretion than it had in imposing the death penalty. In holding that the racial inquiry would not be applicable to the guilt phase of the trial, the Court relied upon *Ristaino v. Ross*, 424 U.S. 589 (1976), in which the Court held that inquiry into racial prejudice at *voir dire* was not constitutionally required, because the facts of the case did not suggest a significant likelihood that racial prejudice might infect the defendant's trial. The distinction

of the present case was that the crime charged was a capital offense under which the Virginia death penalty statute gives the jury greater discretion than other systems that have been upheld against constitutional challenge.

Justice Brennan concurred in part and dissented in part. He believed that the sentencing in this case should be vacated but also stated that the doctrine of right to question on racial prejudice should also apply to the guilt phase of the trial. Justices Powell and Rehnquist dissented.

Coming up: Back to the present

With this column we conclude our look back at the principal criminal justice cases decided by the U.S. Supreme Court during the final term under Chief Justice Burger. In the next issue, we'll begin our examination of the first cases decided during the 1985-87 term under the direction of Chief Justice Rehnquist.

The preparation of these review columns has been greatly assisted by the outline of 1985-85 criminal justice decisions presented by the Hon. Joseph R. Weisberger of the Rhode Island Supreme Court at the 1986 convention of the American Bar Association in New York City.

Jonah Triebwasser is a former police officer and investigator who is now a trial lawyer in government practice. He is a member of the Bar of the Supreme Court of the United States.

# DWI cases seen slipping away

Continued from Page 1

driver's bloodstream may not be included in the final report.

Lewis added that there is often a lag between the time the blood sample is analyzed and when the report is given back to police, who then have to go back to old files.

"Basically, that information is not required by law," said Lewis. In Minnesota, he noted, it is a standard requirement.

"If there is a personal injury accident that may become a fatality, the officer will try to get a breath sample from surviving drivers who are able to give it and

request a blood sample from those drivers who are hospitalized," he said.

Prior offenses, however, are counted only over the three-year period before the fatal accident. In going back eight years in Minnesota records, Lewis found that one-fourth of all drunken drivers detected in fatal crashes were repeat offenders.

Twenty-seven percent of the repeat offenders were driving without a valid license at the time of the accident, according to Minnesota records. Ten percent of detected drunken drivers in the

state had no valid license.

"These findings demonstrate the need for more drastic measures for dealing with repeat DWI offenders, such as impounding their license plates, the use of special plates for all members of the repeat offender's household, and prosecution of persons who allow the repeat offender to drive," said Stephen M. Simon, the director of the state DWI Task Force.

Simon also urged the development of better means to identify repeat offenders and treat first offenders with alcohol problems.

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# Jobs

**Intelligence Network Director.** The Western States Information Network is seeking a director to set day-to-day operating policy and procedures, interact with the directors of six other regional intelligence networks and with the director of the RISS Project Team from the U.S. Department of Justice.

Applicants must have at least the following qualifications: a bachelor's degree (minimum of five years experience at a law enforcement command rank may be substituted); strong background

in narcotics (vice/intelligence work acceptable if the unit worked narcotics); law enforcement command experience, whether or not in the field or narcotics; strong and extensive background in budget development and administration; knowledge of policies governing and privacy of intelligence information, and professional integrity as verified by an extensive background investigation.

Successful candidate must be willing to travel and must reside or be willing to relocate to the

Sacramento area at one's own expense. Applicants must submit a 1,000-word essay describing their abilities to achieve WSIN goals and objectives.

Desired management experience includes: personnel administration, grant administration, budget development and administration; communication skills, both oral and written; interagency cooperation and intergovernmental relations; knowledge of analytical and data processing technology in law enforcement; training skills, and program planning, development and administration.

Starting salary ranges from \$60,000 to \$72,000 per year depending upon experience and education. This is a contract position and includes no fringe benefits.

To apply, send resume and 1,000-word essay before Jan. 15, 1987, to: S. Bert Jensen, Director, Western States Information Network, 1825 Bell Street, Suite 205, Sacramento, CA 95825.

**Assistant Professor.** Bowling Green State University has a tenure-track opening for an assistant professor of criminal justice for Fall 1987.

Candidates with a Ph.D. in criminal justice are preferred; Ph.D. in closely allied field considered. The position requires a strong commitment to research and publication as well as excellent teaching/advising/service capability. The university's strong multidisciplinary program depends on a small criminal justice faculty for a core of criminal justice courses that strongly emphasize educational and intellectual pursuits as opposed to technical training. Competitive and selective student admissions guarantees small, high quality classes placing emphasis on excellence.

To apply, send letter of application, curriculum vita and three current letters of reference to: Clyde R. Willis, Ph.D., Dean, College of Health and Human Services, Bowling Green State University, Bowling Green, OH 43403-0280. Deadline for applications is Feb. 15, 1987.

**Technical Specialist.** The International Association of Chiefs of Police is accepting resumes for the position of manager of IACP's Center for Police Investigations.

The position requires a minimum of a bachelor's degree in law enforcement or a related field, and at least four years experience in law enforcement or public safety. Applicants should have the ability to produce well organized, high quality written materials on law-enforcement topics, and should be knowledgeable regarding the nature and scope of law-enforcement activities, management and supervision, budgeting, proposal development, contract negotiation and personnel administration. State and/or local law-enforcement experience is desired, and teaching experience

in a university or police academy environment would be helpful.

Successful candidate will perform a wide range of activities that includes: conducting law-enforcement research; planning, staffing, directing and coordinating assigned projects; preparing reports on projects and special assignments and serving as editorial adviser to The Police Chief magazine; designing and implementing on-site technical assistance programs; serving as liaison with IACP members, the public and Federal, state and local agencies; identifying training needs and designing and implementing programs to suit; developing and updating training materials, and providing classroom instruction in the field as necessary.

Salary range for the position is \$38,000 to \$50,000 annually. To apply, send resume and salary requirements to: Personnel, International Association of Chiefs of Police, P.O. Box 6010, Gaithersburg, MD 20878.

**Deputy Police Chief.** Downers Grove, Ill., a progressive suburban community of 45,000 west of Chicago is seeking an experienced police executive. The police department, which operates within the city's council/manager government, consists of 64 sworn and 20 civilian personnel, and has an operating budget of \$3 million.

Successful candidate will be responsible for the management, direction and control of line operations, investigations and tactical operations, reporting to the chief of police.

The position requires an individual with at least a bachelor's degree in criminal justice or a related field, and the ability to qualify as a sworn police officer. Applicants should have at least eight years experience in law enforcement, including at least two years in a supervisory capacity. An equivalent combination of education and experience will be considered. Training through the FBI Academy, the Southern Police Institute or the Northwestern University Traffic Institute is desirable. Candidates should have excellent oral and written communication skills, and the ability to deal courteously with the public and to motivate and direct personnel effectively. Experience in labor relations is desirable.

Selection screening process includes an assessment center, background investigation and polygraph, psychological and medical examinations. Successful candidate will serve a six-month probationary period. Annual salary range is \$29,600 to \$44,400, with excellent fringe benefits.

To apply, send resume to: Director of Employee Relations, 801 Burlington Avenue, Downers Grove, IL 60516. Deadline for applications is Feb. 1, 1987.

**Crime Analyst/Police Liaison Specialist.** The Illinois Criminal

Justice Information Authority is seeking a skilled analyst for its Police Information Management System (PIMS) unit.

Successful applicant will be responsible for aiding the implementation in selected police agencies of a computerized crime-analysis package using geographic and time data. Specific duties will include working with the selected agencies to determine areas of law enforcement most amenable to analysis, and serving as liaison between the police agencies and the authority's technical staff.

Minimum qualifications include a knowledge of police practices in a municipal police force and an understanding of practical crime-analysis techniques. Excellent written and verbal communication skills are also required. Applicants with experience in law enforcement and a knowledge of or experience with automated police information systems are preferred. Salary range is \$22,000 to \$25,000.

To apply, send resume to: Samuel Bates, Research Analyst, Illinois Criminal Justice Information Authority, 120 South Riverside Plaza, Chicago, IL 60606.

**Management Operations Analyst.** The Illinois Criminal Justice Information Authority is seeking to fill a position in its Research and Analysis unit.

The management operations analyst works in three major areas: information management analysis, agency operations analysis (relative to information issues) and technical assistance (relative to information issues). The position involves a high degree of interaction with all areas of the state's criminal justice system, with approximately 30 percent of all work occurring in the field.

Minimum requirements include a working knowledge of criminal justice, agency management analysis and computerized information systems. Applicants must have at least a B.A. degree in a related field. Preference given to those with prior direct experience in the criminal justice system and/or a master's degree in a related field.

To apply, send resume to: Samuel Bates, Research Analyst, Illinois Criminal Justice Information Authority, 120 South Riverside Plaza, Chicago, IL 60606.

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# Upcoming Events

## FEBRUARY

- 12-13. **Liability for Use of Force.** Presented by the Police Foundation. To be held in Washington, D.C. Fee: \$300.
16. **Basics and Complexity of Health Care Security.** Presented by the International Association for Hospital Security. To be held in Orlando, Fla. Fee: \$125 (IAHS members); \$175 (nonmembers).
- 16-17. **Barricaded Suspects/Hostage Situation Management.** Presented by DenCor Ltd. To be held at the Colorado Law Enforcement Training Academy, Wheatridge, Colo.
- 16-18. **Managing DWI Enforcement Programs.** Presented by the International Association of Chiefs of Police. To be held in Orlando, Fla.
- 16-20. **Advanced Video Production.** Presented by the Institute of Police Technology & Management. To be held in Orlando, Fla. Fee: \$375.
- 16-20. **Instructor Development Course.** Presented by the Traffic Institute. Fee: \$400.
- 16-20. **Microcomputer Programming with a Data Base Management System.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$575.
- 16-20. **Residential Security.** Presented by the Florida Institute for Law Enforcement. Fee: \$200.
- 16-27. **Traffic Accident Reconstruction.** Presented by the Institute of Police Technology & Management. Fee: \$575.
- 16-March 13. **Police Traffic Management.** Presented by the Institute of Police Technology & Management. Fee: \$310.
- 16-March 13. **Principles of Police Management.** Presented by the Institute of Police Technology & Management. Fee: \$310.
- 17-18. **Critical Issues for Health Care Security Administrators.** Presented by the International Association for Hospital Security. To be held in Orlando, Fla. Fee: \$275 (IAHS members); \$350 (nonmembers).
- 18-19. **Terrorism Threat Assessment.** Presented by DenCor Ltd. To be held at the Colorado Law Enforcement Training Academy, Wheatridge, Colo.
- 18-20. **Dealing with Problem Employees.** Presented by the International Association

- of Chiefs of Police. To be held in Orlando, Fla.
- 23-24. **Law Enforcement Dispatcher Training.** Presented by the International Association of Chiefs of Police. To be held in San Antonio, Tex.
- 23-25. **Advanced Police Computer Applications & Management.** Presented by the International Association of Chiefs of Police. To be held in San Diego.
- 23-25. **Sex Crimes Investigation.** Presented by the Criminal Justice Center, John Jay College of Criminal Justice. Fee: \$175.
- 23-25. **Managing the Law Enforcement Training Function.** Presented by the International Association of Chiefs of Police. To be held in Las Vegas.
- 23-27. **Managing Police Training.** Presented by the Traffic Institute. Fee: \$400.
- 23-27. **Stress Awareness & Resolution.** Presented by the Florida Institute for Law Enforcement. Fee: \$200.
- 23-27. **Criminal Profiling & the Serial Murderer.** Presented by the Institute of Police Technology & Management. Fee: \$350.
- 23-27. **DWI Enforcement/Instructor Training.** Presented by the Traffic Institute. Fee: \$400.
- 23-27. **Property Crime Program.** Presented by the National Crime Prevention Institute. Fee: \$325.
- 23-March 6. **Executive Development.** Presented by the International Association of Chiefs of Police. Open to member agencies only. To be held in Phoenix.
- 26-27. **32nd Annual Southern Conference on Corrections.** Presented by the School of Criminology and the Center for Professional Development, Florida State University. To be held in Tallahassee, Fla.

## MARCH

- 2-4. **Investigation of Computer Fraud.** Presented by the International Association of Chiefs of Police. To be held in San Diego.
- 2-4. **Introductory Microcomputer Workshop for the Police Manager.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$325.
- 2-4. **Symposium on Law Enforcement Data**

- Processing Management.** Presented by the International Association of Chiefs of Police. To be held in Orlando, Fla.
- 2-6. **Microcomputer Workshop for Police Applications.** Presented by the Institute of Police Technology & Management. Fee: \$450.
- 2-6. **DWI Drug Recognition.** Presented by the Traffic Institute. To be held in Evanston, Ill. Fee: \$400.
- 2-8. **Field Training Officers Seminar.** Presented by the Institute of Police Technology & Management. Fee: \$325.
- 2-13. **Line Supervision.** Presented by the Florida Institute for Law Enforcement. To be held in St. Petersburg, Fla. Fee: \$300.
- 9-11. **Vehicle Theft Investigation & Prevention.** Presented by the International Association of Chiefs of Police. To be held in San Diego.
- 9-13. **Automated Crime Analysis.** Presented by the Institute of Police Technology & Management. Fee: \$475.
- 9-13. **Selective Traffic Enforcement/Operational Level.** Presented by the Traffic Institute. Fee: \$350.
- 9-13. **Police Traffic Radar Instructor.** Presented by the Institute of Police Technology & Management. Fee: \$325.
- 9-13. **DWI Program Management.** Presented by the Traffic Institute. Fee: \$400.
- 9-20. **Crime Prevention Technology & Programming.** Presented by the National Crime Prevention Institute. To be held in Louisville, Ky. Fee: \$550.
- 10-11. **Practical Burglary Seminar.** Presented by the Criminal Justice Center, John Jay College of Criminal Justice. To be held in New York. Fee: \$150.
- 10-12. **Sects, Cults & Deviant Movements.** Presented by the Institute of Police Technology & Management. Fee: \$295.
- 13-15. **Street Survival II.** Presented by Calibre Press. To be held in Atlanta. Fee: \$110 (all three days); \$75 (first two days only); \$50 (third day only).
- 15-21. **Providing Protective Services.** Presented by Richard W. Kobetz & Associates Ltd. To be held in Winchester, Va. Fee: \$2,300.
- 16-18. **Investigation of Child Abuse & Sex-**

- ual Exploitation.** Presented by the International Association of Chiefs of Police. To be held in Las Vegas.
- 16-18. **Progressive Patrol Administration.** Presented by the International Association of Chiefs of Police. To be held in San Antonio, Tex.
- 16-20. **Managing a Selective Traffic Enforcement Program.** Presented by the Traffic Institute. Fee: \$400.
- 16-20. **Video Production for Police.** Presented by the Institute of Police Technology & Management. Fee: \$350.
- 16-20. **Contemporary Issues in Police Administration.** Presented by the Southwestern Law Enforcement Institute. To be held in Dallas. Fee: \$395.
- 16-20. **Police Motorcycle Rider Course.** Presented by the Institute of Police Technology & Management. Fee: \$575.
- 16-20. **Microcomputer Assisted Accident Reconstruction.** Presented by the Traffic Institute. Fee: \$500.
- 16-20. **Selective Traffic Drug Enforcement.** Presented by the Institute of Police Technology & Management. Fee: \$350.
- 16-27. **Police Motorcycle Instructor Course.** Presented by the Institute of Police Technology & Management. Fee: \$1,000.
- 18-20. **Crime Analysis.** Presented by the Florida Institute for Law Enforcement.
- 18-20. **Street Survival II.** Presented by Calibre Press. To be held in Portland, Ore. Fee: \$110 (all three days); \$75 (first two days only); \$50 (third day only).
- 23-25. **Planning, Design & Construction of Police Facilities.** Presented by the International Association of Chiefs of Police. To be held in Orlando, Fla.
- 23-25. **Special Problems in Police Internal Affairs.** Presented by the Institute of Police Technology & Management. Fee: \$275.
- 23-25. **Terrorism: Understanding & Reacting to the Threat.** Presented by the National Crime Prevention Institute. Fee: \$250.
- 23-25. **Managing the Property & Evidence Function.** Presented by the International Association of Chiefs of Police. To be held in San Diego.
- 23-27. **Crime Scene Technical Seminar.**

- Presented by the Institute of Police Technology & Management. Fee: \$350.
- 23-27. **Continued Case Studies in Accident Reconstruction.** Presented by the Traffic Institute. Fee: \$400.
- 23-27. **Electronic Spreadsheets for the Police Budget Officer.** Presented by the Institute of Police Technology & Management. Fee: \$575.
- 23-27. **Crisis Intervention.** Presented by the Florida Institute for Law Enforcement. Fee: \$200.
- 23-April 3. **Advanced Tactical Survival.** Presented by the Institute of Police Technology & Management. Fee: \$495.
- 24-25. **Intelligence Analysis for Investigators.** Presented by the Criminal Justice Center, John Jay College of Criminal Justice. Fee: \$150.
- 25-27. **Street Survival II.** Presented by Calibre Press. To be held in Boston. Fee: \$110 (all three days); \$75 (first two days only); \$50 (third day only).
- 27-29. **Workshop for Recently Appointed Chiefs: Part II.** Presented by the International Association of Chiefs of Police. To be held in Orlando, Fla.
- 30-31. **Contemporary Terrorism.** Presented by Richard W. Kobetz & Associates Ltd. To be held in Las Vegas. Fee: \$350.
- 30-April 3. **Advanced Alarms & Electronic Security.** Presented by the National Crime Prevention Institute. Fee: \$325.
- 30-April 3. **Interview & Interrogation.** Presented by the Institute of Police Technology & Management. Fee: \$350.
- 30-April 3. **Child Penography Investigation.** Presented by the Florida Institute for Law Enforcement. Fee: \$200.

## APRIL

- 1-2. **Hostage Negotiations.** Presented by Richard W. Kobetz & Associates Ltd. To be held in Las Vegas. Fee: \$350.
- 1-2. **High Risk Incident Management.** Presented by the Traffic Institute. To be held in Evanston, Ill. Fee: \$225.
- 6-7. **Managing Association Operations and Finances.** Presented by the International Association of Chiefs of Police. To be held in Denver.
- 6-8. **Media Interview and the Law Enforcement Executive.** Presented by the International Association of Chiefs of Police. To be held in Washington, D.C.
- 6-8. **Special Weapons and Tactics.** Presented by the International Association of Chiefs of Police. To be held in Washington, D.C.
- 6-8. **Developing First Line Supervisory Skills.** Presented by the International Association of Chiefs of Police. To be held in San Diego.
- 6-10. **Administering a DWI Program.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$325.
- 6-10. **Advanced Locks and Locking Systems.** Presented by the National Crime Prevention Institute. To be held in Louisville, Ky. Fee: \$325.
- 6-10. **Drug Unit Commanders' Seminar.** Presented by the Institute of Police Technology & Management. Fee: \$350.
- 6-10. **Law Enforcement Fitness/Instructor Certification.** Presented by the Traffic Institute. Fee: \$400.
- 6-10. **Managing Investigative Resources.** Presented by the Florida Department of Law Enforcement, Organized Crime Institute. To be held in Tallahassee, Fla. Fee: \$300 (Florida residents); \$375 (out-of-state residents).
- 6-17. **Supervision of Police Personnel.** Presented by the Traffic Institute. Fee: \$550.
- 7-9. **Street Survival II.** Presented by Calibre Press. To be held in Lakewood, Colo. Fee: \$110 (all three days); \$75 (first two days only); \$50 (third day only).
- 7-10. **Police Internal Affairs.** Presented by the Institute of Police Technology & Management. Fee: \$325.
- 7-10. **Special Problems in Traffic Accident Reconstruction.** Presented by the Institute of Police Technology & Management. Fee: \$295.

# Directory of Training Sources

- American Society for Industrial Security, 1656 North Fort Myer Drive, Suite 1200, Arlington, VA 22209 (703) 522-6800.
- ANACAPA Sciences Inc., Law Enforcement Programs, Drawer Q, Santa Barbara, CA 93102.
- Broward County Criminal Justice Institute, Broward Community College, 3501 S.W. Davie Road, Ft. Lauderdale, FL 33314. (305) 475-6790.
- Calibre Press, 666 Dundee Rd., Suite 1607, Northbrook, IL 60062.
- Center for Criminal Justice, Case Western Reserve University, Cleveland, OH 44106. (216) 368-3308.
- Criminal Justice Center, John Jay College of Criminal Justice, 444 West 56th Street, New York, NY 10019. (212) 247-1600.
- Criminal Justice & Public Safety Training Center, 3055 Brighton-Henrietta Town Line Road, Rochester, NY 14623-2790. (716) 427-7710.
- Criminal Justice Training and Education Center, Attn: Ms. Jeanne L. Klein, 2025 Arlington Avenue, Toledo, OH 43609. (419) 382-6665.
- DenCor Ltd., 1941-B Friendship Drive, El Cajon, CA 92020. (619) 448-4884.
- Delinquency Control Institute, Tyler Building, 3601 South Flower Street, Los Angeles, CA 90007.
- Eastern Kentucky University, Training Resource Center, 105 Stratton Building, Richmond, KY 40475. (606) 622-1155.

- Eastman Kodak Company, Attn: Lee Schilling, Law Enforcement & Security Markets, 343 State Street, 6th Floor, Building 20, Rochester, NY 14650.
- Eases Institute of Public Service, 601 Broad Street, SE, Gainesville, GA 30601. (404) 635-8104.
- Florida Department of Law Enforcement, Organized Crime Institute, P.O. Box 1489, Tallahassee, FL 32302. (904) 468-1340.
- Florida Institute for Law Enforcement, St. Petersburg Junior College, P.O. Box 13489, St. Petersburg, FL 33733.
- Institute of Police Technology & Management, University of North Florida, 4667 St. Johns Bluff Rd. S., Jacksonville, FL 32216.
- International Association of Chiefs of Police, 13 Firstfield Road, Gaithersburg, MD 20878. (301) 948-0922; (800) 638-4085.
- International Association for Hospital Security, P.O. Box 637, Lombard, IL 60148. (312) 953-0990.
- Kent State Police Training Academy, Stockdale Safety Building, Kent, OH 44242. (216) 672-3070.
- Milwaukee Area Technical College, 1016 North Sixth Street, Milwaukee, Wis 53203.
- Narcotic Enforcement Officers Association, P.O. Box 999, Darien, CT 06820. (203) 655-2908.
- National Alliance for Safe Schools, 501 North Interregional, Austin, TX 78702. (512) 396-8686.

- National College of Juvenile Justice, P.O. Box 8970, Reno, NV 89507. (702) 784-6012.
- National Crime Prevention Institute, School of Justice Administration, University of Louisville, Louisville, KY 40292.
- National Intelligence Academy, Attn: David D. Barrett, 1300 Northwest 62nd Street, Ft. Lauderdale, FL 33309. Telephone: (305) 776-5500.
- National Police Institute, 405 Humphreys Building, Central Missouri State University, Warrensburg, MO 64093-5119.
- National Training Center of Polygraph Science, 200 West 67th Street, Suite 1400, New York, NY 10019. (212) 755-5241.
- New England Institute of Law Enforcement Management, Babson College, Drawer E, Babson Park, MA 02157.
- Pennsylvania State University, S-169 Human Development Bldg., University Park, PA 16802.
- Police Executive Development Institute (POLEXI), The Pennsylvania State University, S169 Human Development Building, University Park, PA 16802. (814) 863-0262.
- Police Foundation, Police Liability Assistance Network, Attn: Sheila Bodner, 1001 22nd Street N.W., Washington, DC 20037. (202) 833-1460.

- Police Management Association, 1001 22nd Street NW, Suite 200, Washington, DC 20037. (202) 833-1460.
- Police Training Programs Inc., P.O. Box 3532, Executive Park Tower, Albany, NY 12203. (518) 456-5121.
- Professional Police Services Inc., P.O. Box 10902, St. Paul, MN 55110. (612) 464-1080.
- Richard W. Kobetz and Associates, North Mountain Pines Training Center, Arcadia Manor, Route Two, Box 100, Berryville, VA 22611. (703) 956-1128 (24-hour desk).
- Sam Houston State University, Criminal Justice Center Police Academy, Box 2296, Huntsville, TX 77341.
- Southern Conference on Corrections, Laurin A. Wollan Jr., Director, 167 Bellamy Building, Florida State University, Tallahassee, FL 32306. (904) 644-4050.
- Southern Michigan Law Enforcement Training Center, Jackson Community College, 2111 Emmons Road, Jackson, MI 49201. (517) 787-0800, ext. 165.
- Southern Police Institute, Attn: Ms. Shirley Beck, University of Louisville, Louisville, KY 40292. (502) 588-6551.
- Southwestern Law Enforcement Institute, P.O. Box 707, Richardson, TX 75080. (214) 690-2370.
- Traffic Institute, 655 Clark Street, P.O. Box 1409, Evanston, IL 60204.



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